

05.01.2024

Sl.19

Court No.29

(AD)

(Rejected)

C.R.M. (A) 4569 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No.**1025 of 2022** dated **16.11.2022** under Sections **448/325/326/313/506/34** of the Indian Penal Code, 1860, (SL. No.2498/2022).

And

In the matter of: **Santu Hazra**

....petitioner.

Mr. Asraf Mandal

... for the petitioner.

Mr. Debasish Roy, Ld. PP

Mr. Navanil De

...for the State.

The application for anticipatory bail is taken up for consideration subsequent to the order dated October 16, 2023 passed by the Coordinate Bench.

By such order, the interim anticipatory bail was granted to the petitioner.

It is submitted at the bar that such order was passed without considering the materials in the case diary and in view of the ensuing puja vacation.

We perused the materials in the case diary.

One injured underwent an abortion. She recorded a statement under Section 164 of the Code of Criminal Procedure, where she stated that, the petitioner before us continuously assaulted her on the abdomen.

Considering the gravity of the offence and the involvement of the petitioner in the incident, we are unable to confirm the interim order dated October 16, 2023 or grant anticipatory bail

to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

C.R.M. (A) 4569 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)