

08.01.2024

Serial no. 56
Anticipatory bail
[Rejected]
Dd

CRM (A) 4622 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Suti** Police Station Case No. **92** of **2023** dated **25.02.2023** under Sections **447/323/325/326/307/354/34** of the Indian Penal Code, 1860.
(G.R. Case No. 456 /2023)*

-And-

In the matter of : **Asraful Hoque @ Asraful Haque**
... ..**Petitioner**

Mr. Tapodip Gupta, Advocate
... .. For the Petitioner

Mr. Debasish Roy, PP
Mr. Navanil De, Advocates
... ..For the State

Petition is taken up for consideration subsequent to order dated October 16, 2023.

By such order, interim anticipatory bail was granted by the co-ordinate Bench.

It is submitted at the Bar that the co-ordinate Bench did not consider the materials in the case diary and passed such order in view of the ensuing Puja vacation.

We perused the materials in the case diary.

Learned advocate appearing for the petitioner submits that five other co-accuseds were enlarged on anticipatory bail by the jurisdictional Court.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary.

There is a statement recorded under Section 164 of the Criminal Procedure Code which implicates the petitioner in the

petitioner pouring kerosene over the body of the victim and the petitioner lighting the matchstick to set the victim on fire.

Injury of the victim states that the injured suffered burn injury.

Considering the role of the petitioner ascribed in the incident as transpiring from the materials in the case diary, we are unable to confirm the interim anticipatory bail granted on October 16, 2023 or grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner is **rejected**.

CRM (A) 4622 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)