

09.01.2024
201
Ct. No. 29
S.D.
REJECTED

C.R.M.(A) 4710 of 2023

In Re:- In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kandi** Police Station Case No. **437** of **2023** dated **22.07.2023** under Section **341/323/325/326/308/506/34** of the Indian Penal Code.

And

In Re : Suman Pal @ Suman Ghosh & Anr.

..... petitioners

Ms. Minoti Gomes

Md. Hafiz Ali

Ms. Dona Sanyal

....for the petitioners

Mr. Tanmoy Kumar Ghosh, Ld. S.G.A.,

Ms. Sonali Bhar

...for the State

The application for anticipatory bail is taken up for consideration subsequent to the order dated October 17, 2023 by the Coordinate Bench.

By such order dated October 17, 2023, the petitioners were enlarged on an interim anticipatory bail.

It is submitted at the bar that, the order granting interim anticipatory bail was passed just prior to the ensuing puja vacation without considering the materials in the case diary.

We perused the materials in the case diary.

All the petitioners before us stand implicated in an incident of assault on the victim who suffered fracture of 4th and 5th metatarsal bone of right hand.

Considering the gravity of the offence and the involvement of the petitioner in the incident, we are unable to confirm the order dated October 17, 2023 or to grant anticipatory bail to the petitioner and the prayer of anticipatory bail is rejected.

The application being CRM (A) 4710 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)