

11.01.2024

Serial no. 18
Anticipatory bail
[Rejected]
Dd

CRM (A) 4740 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Chopra** Police Station Case No. **440** of **2023** dated **22.05.2023** under Sections **448/323/307** of the Indian Penal Code, 1860.
(G.R. Case No. 1581 / 2023)*

-And-

In the matter of : **Sariful @ Sariful Islam**
... ..**Petitioner**

Mr. Shaharayar Alam, Advocate
... .. For the Petitioner

Md. Anwar Hossain,
Ms. Ratna Ghosh, Advocates
... ..For the State

The application is taken up for consideration subsequent to order dated January 8, 2024.

On January 8, 2024, a submission was made that there was a promise entered into with the de facto complainant.

Considering the nature of the offences and the nature of the promise, we wanted the de facto complainant to be notified and to be present in Court.

Investigating Officer is present in Court.

It is submitted on behalf of the State that the de facto complainant was notified. De facto complainant is, however, not appearing before Court despite notice.

The police case relates to offences which are non-compoundable.

It is claimed that a written compromise was entered into with regard to such non-compoundable offences. This claim requires investigation to be conducted more rigourously.

In such circumstances, we are unable to confirm the interim order dated October 17, 2023 or grant anticipatory bail to the petitioner.

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

CRM (A) 4740 of 2023 is **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)