

11.01.2024

Serial no. 19
Anticipatory bail
[Rejected]
Dd

CRM (A) 4759 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Sagardighi** Police Station Case No. **136** of **2023** dated **19.04.2023** under Sections **341/323/325/326/307/34** of the Indian Penal Code, 1860.
(G.R. Case No. 868 /2023)*

-And-

In the matter of : **Saddam Hossain**
... ..**Petitioner**

Ms. Minoti Gomes,
Mr. Chandrima Debnath, Advocates
... ... For the Petitioner

Mr. Antaraikhya Basu, Advocate
... ...For the State

Petition is taken up for consideration subsequent to order dated October 17, 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.

The petitioner stands implicated in an incident of assault. The victim suffered grievous hurt of comminuted fragment fracture on left elbow region. The co-accused was arrested and was enlarged on bail by the jurisdictional Court after 89 days of custody.

Police filed charge sheet.

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 17, 2023 or grant anticipatory bail to the petitioner.

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

CRM (A) 4759 of 2023 is **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)