

08.01.2024

Serial no. 141

Anticipatory bail

[Rejected]

2d

CRM (A) 4761 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **English Bazar** Police Station Case No. **1118** of **2023** dated **17.07.2023** under Sections **341/325/326/506/34** of the Indian Penal Code, 1860.
(G.R. Case No. 4658 /2023)*

-And-

In the matter of : **Sk. Anowar @ Md. Anwar Hossain & Ors.**
... ..**Petitioners**

Mr. Arup Kumar Bhowmick, Advocate
... ... For the Petitioners

Mr. Sudip Kumar, 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.

We find from the records that, the petitioners before us obtained loan from the injured victim and when the injured victim went to recover such amount, they assaulted the victim and caused fracture of the left ulna of the victim.

Considering the nature of injury suffered by the victim and involvement of the petitioners, we are unable to confirm the interim anticipatory bail granted on October 17, 2023 or grant anticipatory bail to the petitioners.

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

CRM (A) 4761 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)