

10.01.2024
Item No.14
Ct. No. 29
CHC
Rejected

C.R.M.(A) 4786 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Harishchandrapur** Police Station Case No. **479** of **2023** dated **26.05.2023** under Sections **448/ 323/ 325/ 313/ 506/ 509/ 34** of the Indian Penal Code.

And

In the matter of : Afsana Bibi & anr.

..... petitioners

Mr. Kallol Mondal,
Ms. Roma Roy

....for the petitioners

Mr. Arijit Ganguly,
Mr. Avik Ghatak

....for the State

Petition is taken up for consideration subsequent to the order dated October 17, 2023 passed by the co-ordinate Bench.

By such order, the coordinate Bench granted interim anticipatory bail to the petitioners.

It is submitted at the bar that, such order was passed without consulting the materials in the Case Diary and in view of the ensuing Puja Vacation.

We perused the materials in the Case Diary.

We find that the allegation of miscarriage apparently stands corroborated by the medical evidence available in the Case Dairy.

Petitioners are involved in such incident.

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

This application for anticipatory bail is, thus, rejected.

CRM(A) 4786 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)