

02.05.2024
Item No.15
Ct. No. 29
CHC
Rejected

C.R.M.(A) 4909 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ratua** Police Station Case No. **490/2023** dated **26.08.2023** under Sections **447/427/323/325/307/34** of the Indian Penal Code and read with Sections 25(1-B)(a)/27 Arms Act.

And

In the matter of : Toufik Ahammed Choudhury & ors.
..... petitioners

Mr. A. H. Molla,
Ms. Riya Das
....for the petitioners

Mr. Rudradipta Nandy, Ld. A.P.P.
Ms. Sanjana Saha
....for the State

Petitioners pray for anticipatory bail.

Fire arm was seized from the co-accused who was named by the injured person to be involved in the incident of assault. All the three petitioners before us stand implicated by the three injured as participants in the incident of assault.

Although, the injuries suffered by the injured were classified as simple hurt considering the fact that, fire arm was recovered from the co-accused from the place of occurrence where the petitioners herein were present and considering the role ascribed to the petitioners in such incident of assault, we are unable to grant anticipatory bail to the petitioners.

This application for anticipatory bail is, thus, rejected.

CRM(A) 4909 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)