

22.01.2024
Court No.29
Item No. 66
AP

CRM (A) 4998 of 2023

In re : An application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Uluberia** Police Station Case No. **387** of **2023** dated **19.09.2023** under Sections **341/325/307/34** of IPC.

-And-

In the matter of : **Hasibul Khan and Anr.**

... ..Petitioners.

Mr. Malay Bhattacharyya

... .. For the Petitioners.

Mr. Avishek Sinha

... ...For the State

The petitioners pray for anticipatory bail.

Learned advocate for the petitioners submits that there is an issue of false implication. Moreover, the petitioners are of advanced age.

Learned advocate for the State submits that, there are criminal antecedents in so far as petitioners are concerned. There are five criminal cases against the petitioners. Both are rowdies.

Apparently, the de facto complainant, as an elderly social activist, complained as against the petitioners for encroachment of a highway. A writ petition was filed with regard thereto. Thereafter, the incident of assault took place. The de facto complainant suffered severe injuries.

The nature of injury sustained, require an investigation under Section 307 of the IPC, 1860. Moreover, there are criminal antecedents so far as petitioners are concerned.

Hence, we are not inclined to grant anticipatory bail to the petitioner Nos.1 (Hasibul Khan) and 2 (Hafizul Khan).

Thus, the prayer for anticipatory bail of the petitioners is **rejected.**

Accordingly, the application for anticipatory bail is **dismissed.**

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)