

05.01.2024

Sl.30

Court No.29

(AD)

(Rejected)

C.R.M. (A) 5706 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Goalpokher** Police Station Case No.**75 of 2023** dated **18.02.2023** under Sections **147/148/149/326/307/302/506/34** of the Indian Penal Code, 1860, read with Sections **25(1-A)/27/35** of the Arms Act (G.R. No.394/2023).

And

In the matter of: **Md. Tohidul Haque @ Mohammad Tohidul Haque @ Tohid**

....petitioner.

Mr. Diptangshu Basu

... for the petitioner.

Mr. Bibaswan Bhattacharya

...for the State.

Mr. Sourav Banerjee

Ms. Swati Jha

Mr. M. Nazar Chowdhury

... for the de facto complainant.

Prayer for anticipatory bail of the petitioner is considered subsequent to the order dated January 3, 2024.

Learned Advocate appearing for the petitioner submits that co-accused were granted bail.

State and the de facto complainant are represented.

In an incident of assault, two persons were murdered and several others suffered injuries.

There are statements recorded under Section 164 of the Code of Criminal Procedure and the injured implicating the petitioner in the assault. Firearms were used in the incident of assault.

Complicity of the petitioner in the incident cannot be

overlooked.

Considering the gravity of the offence and the involvement of the petitioner in the incident as transpiring from the materials in the case diary, we are unable to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

C.R.M. (A) 5706 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)