

26.10.2023

SL No.44

Court No.8

(rp/gc)

CRM(A) 5002 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Liluah Police Station Case No.165 of 2023 dated 16.04.2023 under Sections 341/323/325/307/34 of the Indian Penal Code and adding Section 302 of the Indian Penal Code.

And

In the matter of: **Sanu Bhattacharjee**

...Petitioner.

Mr. Kushal Mukherjee,
Mr. Diptangshu Basu

... For the Petitioner.

Mr. Bidyut Kumar Roy,
Ms. Jonaki Saha

... For the State.

Ms. Sonali Das

...For the De facto complainant.

1. Considering the material shown to the Court and the fact that the petitioner has been named in the 164 statement of the wife of the deceased, we are not inclined to grant the prayer for anticipatory bail.
2. The alleged delay of two days from the date of occurrence on 14th April, 2023 and the date of the 164 statement taken which was on 16th April, 2023 would not be fatal to the case made out by the prosecution.
3. We are also informed that the victim succumbed to his injuries after a few days from the date of the assault.
4. CRM (A) 5002 of 2023 is, accordingly, dismissed.

(BIBHAS RANJAN DE, J.) (MOUSHUMI BHATTACHARYA, J.)