

27.08.2019.
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as
(Rejected)

***Calcutta High Court
In the Circuit Bench at Jalpaiguri***

C.R.M. 704 of 2019

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 20.08.2019 in connection with Alipurduar P. S. Case No.176 of 2019 dated 08.05.2019 under Sections 302/201 of the Indian Penal Code.

In the matter of : Santosh Pasman @ Santosh Paswan
@ Santu.

... Petitioner.

Ms. Swarnali Sengupta.

...for the Petitioner.

Mr. A. S. Chakraborty, Id. A.P.P.,
Mr. S. S. Sikder.

.....for the State.

Heard the learned Advocates appearing for the parties.

It is submitted on behalf of the petitioner that he has been falsely implicated in the instant case. His complicity has arisen from the statement of co-accused person.

Learned Advocate appearing for the State opposes the prayer for anticipatory bail and submits that the petitioner was one of the persons who had beheaded the victim. He was found along with the co-accused soon after the incident. Injuries were noted on the right finger of the petitioner.

We have considered the materials on record. There are sufficient materials to give rise to a strong suspicion regarding the involvement of the petitioner in the alleged

murder. Although the charge sheet has been filed, possibility of revealing further incriminating materials pursuant to apprehension of the petitioner in course of further investigation cannot be ruled out.

In view of the gravity of the offence and the involvement of the petitioner therein and other attending facts of the case, we are of the opinion this is not a fit case to grant anticipatory bail to the petitioner.

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

(Manojit Mandal,J.)

(Joymalya Bagchi, J.)