

14.09.2020

Court No. 16
Item No. 42
abhar/bdatta

**CRM 6469 of 2020
With
CRAN 1 of 2020**

(Via Video Conference)

In Re: An application for Anticipatory **Bail** under Section **438** of the Code of Criminal Procedure in connection with Dhubulia Police Station Case No. 82 of 2020 dated 15.04.2020 under Sections 314/315/201/120B of the Indian Penal Code.

and

In the matter of: Sabur Ali Sk.

... Petitioner

Mr. Uday Shankar Chattopadhyay.

.....for the Petitioner

Ms. Sujata Ghosh.

..... For the State

The learned advocate for the petitioners undertakes to affirm and stamp the petition/application as per Rules within 48 hours of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

The application being CRAN 1 of 2020 is accordingly disposed of.

Learned advocate for the petitioner submits that the petitioner has no involvement in the present case and he has been falsely implicated. According to him, if at all there is a mishap that was at the contribution of doctor.

Learned advocate for the State produces the case diary and draws the attention of this Court to the statement recorded under Section 164 of the Code of Criminal Procedure as also the post mortem report.

We have perused the aforesaid documents along with other statements recorded under Section 161 of the Code of Criminal Procedure.

Considering the complicity of the present petitioner we are of the opinion that the custodial interrogation of the petitioner is required for the sake of investigation of the case. Accordingly, the prayer for anticipatory bail is rejected.

The application for bail being C.R.M. 6469 of 2020 is dismissed.

(Tirthankar Ghosh, J.)

(Harish Tandon, J.)