

C.R.M. 6705 of 2020
I.A. No. CRAN 1 of 2020

(Via Video Conference)

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 08.09.2020 in connection with Tamluk P.S. Case No. 234 of 2020 dated 07.05.2020 under Sections 304A/465/468/120B of the Indian Penal Code and Section 7 of the West Bengal Clinical Establishment Act, 1950 and Section 2(b) and 30/33/34 of the West Bengal Clinical Establishment Act, 2017.

And

In the matter of: Kamalesh Pradhan

...Petitioner

Mr. Amitabha Karmakar

... for the petitioner

Ms. Faria Hossain

Ms. Baisali Basu

... for the State

The petitioners undertake to affirm and stamp the petition/application as per the Rules within one month of resumption of normal functioning of the Court. The petition is taken up through video conference on the basis of such undertaking.

CRAN 1 of 2020 is accordingly, disposed of.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. The petitioner is only a dutiful neighbour of the complainant and in order to help the complainant he rendered his service. It is submitted that the petitioner did not collect any forged pathological report of the son of the complainant and he is no way connected with the alleged offence.

Learned counsel for the State strongly opposes the prayer for anticipatory bail.

It is submitted that the investigation reveal that the pathological report obtained from the Scientific Clinical Research Laboratory Pvt. Ltd. is a forged document. In fact, the management representative of

the said laboraratory stated so in its communication dated 12.09.2020. On the basis of the materials available on record as well as the materials collected against the petitioner and also the materials reveal from the case diary, we are not inclined to grant anticipatory bail to the petitioner.

The application for anticipatory bail is, accordingly, rejected.

(Saugata Bhattacharyya, J.)

(Soumen Sen, J.)

