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17-11-2020

Court 12

C.R.M. 7894 of 2020

(Via Video Conference)

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Sonarpur Police Station Case No. 646 of 2020 dated 18.08.2020 under Section 306 of the Indian Penal Code.

Mousumi Naskar & Anr.

Versus

State of West Bengal

Mr. Nazir Ahmed, Adv.

...for the petitioner.

Mr. Saswata Gopal Mukherjee, Ld. PP

Ms. Faria Hossain, Adv.

...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.

The learned Counsel for the petitioners has submitted that the petitioners are innocent and have been falsely implicated.

Learned Counsel appearing for the State, however, opposes the prayer for anticipatory bail. It is submitted on behalf of the State that in the suicide note forming part of the seizure list has clearly shown that amongst other, the petitioners are the responsible persons for the suicide.

Having considered the materials available on record and the prima facie involvement of the petitioners in the commission of the alleged offence, we are not inclined to grant anticipatory bail to the petitioner.

The application for anticipatory bail is, thus, rejected.

(Saugata Bhattacharyya, J.)

(Soumen Sen, J.)