

05.11.2020

Item No. 36

k.b./b.r.

Crt.08

VB

Rejected

C.R.M. 8793 of 2020

(via video conferencing)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Palashipara P.S. Case No. 127 of 2020 dated 26.05.2020 under Sections 448/302/379/506/120B/34 of the Indian Penal Code.

And

In Re : Nasir @ Nasir Ali Sk. & Anr. petitioners

Mr. Atish Kumar Biswas

Mr. Amit Singhfor the petitioners.

Mr. Rana Mukherjee

Mr. Koushik Majumdar

....for the State

Petitioners undertake 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 conferencing.

The petitioner no.1 is the brother of the deceased victim and the petitioner no.2 is the cousin of the deceased victim.

The petitioners claim the benefit of the anticipatory bail principally on the ground that the FIR has been lodged by the wife of the deceased victim after a period of two months from the date of death.

On the other hand, learned counsel appearing for the State-Respondents raises strong objection to the petitioners prayer for anticipatory bail. By referring to the case diary, particularly to the post mortem report, it was stressed that the victim died of poisoning and the bottle containing poison has been seized.

Considering the materials on record and the gravity of the offence, we are not inclined to entertain the petitioners for anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioners are rejected.

The application CRM 8793 of 2020 stands disposed of.

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)

(Ashis Kumar Chakraborty, J.)