

C.R.M. 9901 of 2020

(Through Video Conference)

In the matter of: Satyaranjan Giri & Ors.

Mr. D. Dutta

... ... for the petitioners

Mr. Saibal Bapuli, APP

Ms. Sayanti Santra

... ... for the State

Mr. Angshuman Chakraborty

... ... for the de facto complainant

Petitioner no. 2 has been arrested. His prayer for anticipatory bail is dismissed as infructuous.

It is submitted on behalf of the petitioners that petitioner nos. 1, 3 and 4 to 6 have been falsely implicated in the instant case due to political rivalry. It is further submitted that statement of the injured eye-witnesses namely, Bholanath Giri and Sahadeb Pramanick were not recorded in course of investigation.

Learned lawyer for the State is unable to enlighten us on this issue. On the other hand, she relies on statements of other witnesses.

The instant case involves murder of one Aswini Manna. There is reference to political rivalry between the parties in the FIR. Names of injured witnesses are referred in the said document.

Investigating officer is directed to be personally present before this Court and submit explanation why statements of

injures eye-witnesses had not been recorded during investigation on the adjourned date.

Let this matter appear two weeks after the X-mas vacation.

In view of the aforesaid lacuna in investigation namely, failure to interrogate injured eye-witnesses, we consider it prudent to direct that petitioner nos. 1, 3 and 4 to 6 shall not be arrested in connection with this case for a period of four weeks after the X-mas vacation or until further orders, whichever is earlier on conditions that they shall meet the officer-in-Charge of Maipith Coastal Police Station once in a week until further orders.

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

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)