

18.01.2021
Court No.28
rpan / 193

C.R.M. 157 of 2021

(Via Video Conference)

In Re:- An application for anticipatory bail under section 438 of
the Code of Criminal Procedure ;
And

In Re : **Srepati Podder & Others**

...Petitioners.

Mr. Sabir Ahmed,
Mr. Abdul Rakib,
Mr. Somnath Majumder

....for the petitioners.

Mr. Saibal Bapuli,
Mr. Soumik Ganguli

....for the State.

Apprehending arrest in connection with Gopalnagar P. S.
case no.167 of 2016 dated 13.04.2016 under Sections 302/34
of the Indian Penal Code, the petitioners have filed the present
application.

Mr. Ahmed, learned advocate appearing for the
petitioners submits that the alleged incident is of the year
2016. The principal accused and two others have already been
granted anticipatory bail. The petitioners' names were not
there in the complaint and featured in the charge sheet
submitted in the year 2018. As upon completion of
investigation, charge-sheet has already been filed, the
custodial detention of the petitioners is not necessary.

Mr. Bapuli, learned advocate appearing for the State
opposes the petitioners' prayer and draws our attention to
several documents in the case diary.

Heard the learned advocates appearing for the respective parties. There is no explanation as to why the petitioners had not approached this Court earlier when the charge sheet was filed in 2018. Considering the materials in the case diary, the nature of allegations and the extent of complicity of the petitioners, we are not inclined to grant anticipatory bail to the petitioners.

Accordingly, the application for anticipatory bail, being CRM 157 of 2021, is rejected.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)