

08.02.2021

Item No.163

Ct.No.28

dc.

Rejected

C.R.M. 272 of 2021

(Via Video Conference)

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

And

In Re : **Dipak Mahato**

... Petitioner.

Mr. Tapodip Gupta

... For the Petitioner.

Mr. P. K. Datta,
Mr. Santanu Deb Roy

... For the State.

Apprehending arrest in connection with Murshidabad P.S. Case No. 572 of 2016 dated 07.12.2016 under Section 302 of the Indian Penal Code, the present application has been preferred.

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. There is no material disclosing the involvement of the petitioner in the alleged offence and in view thereof, custodial detention of the petitioner is not warranted.

The learned advocate appearing for the State opposes the petitioner's prayer and submits that the father of the petitioner is already in custody, however, the petitioner is absconding.

Having heard the learned advocates and considering the materials in the case diary, the gravity of the offence and the fact that the petitioner is absconding, we are not inclined to grant anticipatory bail to the petitioner.

The application for anticipatory bail, being CRM 272 of 2021 is, thus, dismissed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)