

26.02.2021

Item No.37

Ct.No.28

dc.

Rejected

C.R.M. 509 of 2021

(Via Video Conference)

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

And

In Re : **Gokul Chand Roy @ Gokul Roy** ... Petitioner.

Ms. Minoti Gomes ... For the Petitioner.

Ms. Sukanya Bhattacharya,
Md. Kutubuddin ... For the State.

Apprehending arrest in connection with Dhantala P.S. Case No. 267 of 2020 dated 11.07.2020 under Sections 341/325/326/308/34 and added Sections 304/34 of the Indian Penal Code, the present application has been preferred.

Ms. Gomes, learned advocate appearing for the petitioner submits that the victim expired due to a road accident and in the said incident, the petitioner has been falsely implicated. No overt act has been attributed to the petitioner and in view thereof, custodial interrogation of the petitioner is not necessary.

The learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the medical reports and the *post mortem* report.

Having heard the learned advocates and considering the materials in the case diary, the gravity of the offence, the injury reports and the extent of complicity of the petitioner in the alleged offence, we are of the opinion that the petitioner is not entitled to the privilege of anticipatory bail.

The application for anticipatory bail, being CRM 509 of 2021 is, thus, dismissed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)