

9. 07-10-2021

C.R.M. 1237 of 2021

(Via Video Conference)

sg Court 30

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Shibpur Police Station Case No. 368 of 2020 dated 22.12.2020 under sections 498A/406 of the Indian Penal Code.

Sandip De
Versus
The State of West Bengal

Mohammad Khairul, Adv.
Mohammad Ifran, Adv.

...for the petitioner

Mr. Narayan Prasad Agarwala, Adv.
Mr. Ashok Das, Adv.

...for the State

The learned Counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the instant case and the co-accused persons are enlarged on bail. He further submits that the petitioner has also complied with the notice under Section 41A of the Code of Criminal Procedure.

The learned Counsel for the State, however, opposes the prayer for anticipatory bail and has produced the statement of the victim recorded under Section 164 of the Code of Criminal Procedure.

Considering the materials available in the case diary against the petitioner and the statement of the victim recorded under Section 164 of the Cr.PC directly implicating the petitioner, we are not inclined to grant anticipatory bail to the petitioner.

The application for anticipatory bail is, thus, rejected.

(Rabindranath Samanta, J.)

(Soumen Sen, J.)