

DL. May 21,
34. 2021

C.R.M. 1470 of 2021

In the matter of : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on February 4, 2021 in connection with Berhampore Police Station Case No. 304 dated March 19, 2020 under Sections 302/201/379/506/34 of the Indian Penal Code;

And

In the matter of : Rabiul Shaikh @ Rabiul Sekh
 @ Rabiul Sk ...petitioner.
 Versus
 State of West Bengal ...opposite party.

Mr. Navanil De,
 ...for the petitioner.

Mr. Swapan Banerjee,
Mr. Suman De,
 ...for the State.

We have heard the learned advocates appearing for the parties and perused the case diary.

The learned advocate appearing on behalf of the petitioner submits that the petitioner has been falsely implicated in the instant case and that the principal accused, who is the grand daughter in law of the victim, is in custody. It has been further submitted that charge sheet in the instant case has already been submitted.

The learned advocate appearing on behalf of the State opposes the prayer of anticipatory bail. The State refers to the case diary including the statement of the witnesses recorded under Section 161 of the Code of Criminal Procedure.

We have considered the materials available in the case diary. It appears that the nature of the allegation is extremely grave and heinous. Though charge sheet in the instant case has been submitted, in view of the nature and

gravity of the alleged offence, we are not inclined to grant anticipatory bail to the petitioner.

The application for anticipatory bail is, thus, **rejected**.

dns

(**Suvra Ghosh, J.)**

(**Soumen Sen, J.)**