

28.05.2021
Court No.28
Item No. 54
Krishnendu
Rejected

**CRM 1529 of 2021
(Via video Conference)**

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

And

In Re : **Padmalochan Mondal & Anr.**

Petitioners

Mr. Shibaji Kumar Das

For the Petitioners

Mr. Saibal Bapuli

Mr. Arani Bhattacharya

For the State

Apprehending arrest in connection with Marishda P.S. Case No. 199 of 2020 dated 5.10.2020 under sections 341/ 323/ 325/ 307/ 354/ 379/506/34/302 of the Indian Penal Code, the present application has been preferred.

Mr. Das, learned advocate appearing for the petitioners submits that there was a long standing property dispute between the parties and the petitioners have been falsely implicated in an alleged incident, which occurred on 12th September, 2020. The co-accused persons, similarly situated with the petitioners, had already been enlarged on bail. In the said conspectus, custodial interrogation/detention of the petitioners is not warranted.

Mr. Bapuli, learned advocate appearing for the State opposes the petitioners' prayer for anticipatory bail.

It appears that after the alleged incident on 12th September, 2020 the husband of the *de facto* complainant succumbed to the injuries on 7th October, 2020. Taking into consideration the gravity of the offence and the extent of complicity of the petitioners in the same, we are not inclined

to exercise any discretion in favour of the petitioners. As such, their prayer for anticipatory bail is refused.

The application for anticipatory bail, being CRM 1529 of 2021 is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Shampa Sarkar, J.)

(Tapabrata Chakraborty, J.)