

16.12.2021

Court No.32
rpan / 540

C.R.M. 2121 of 2021

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

And

In re: **Alok Modak @ Alok Modok**

- Petitioner

Ms. Joyita Ray,

Mr. Rohit Prasad

....for the Petitioner.

Mr. Madhusudan Sur,

Mr. Manoranjan Mahata

... for the State.

Apprehending arrest in connection with Chakdaha Police Station Case No.497 of 2019 dated 08.12.2019 under Sections 302/34 of the Indian Penal Code, 1860, the present application has been preferred.

Mr. Prasad, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. The allegations are omnibus in nature. Upon completion of investigation charge sheet has also been submitted and as such, custodial interrogation is not warranted.

Mr. Sur, learned Additional Public Prosecutor appearing for the State opposes the petitioner's prayer and draws our attention to the documents in the case diary, including the statements of the witnesses, as recorded under Section 164 of the Code wherein overt act has been attributed to the petitioner.

Having heard the learned advocates and considering the materials in the case diary, the seriousness of the offence, the nature of allegations and the extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise

any discretion in his favour and as such, his prayer for anticipatory bail is refused.

The application for anticipatory bail, being CRM No. 2121 of 2021 is, thus, dismissed.

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

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)