

31.05.2021

Court No.28

rpan /44

C.R.M. 2417 of 2021

(Via Video Conference)

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

And

In Re : **Sri Sanjay Barman**

- Petitioner.

Mr. Kushal Paul

... for the petitioner.

Mr. P. K. Datta,

Mr. S. Deb Roy

... for the State.

Mr. Amit Ranjan Pati

... for the *de facto* complainant

Apprehending arrest in connection with Raiganj P.S. Case
No.658 of 2020 dated 19.08.2020 under Section 306 of the Indian
Penal Code, the petitioner has filed the present application.

Mr. Paul, learned advocate appearing for the petitioner
submits that there was a love relationship between the petitioner
and the victim girl. He has been falsely implicated and as such,
he may be granted anticipatory bail on any stringent condition.

The learned advocate appearing for the State opposes the
petitioner's prayer and draws our attention to several documents
in the case diary. He further submits that investigation is still in
progress and charge-sheet has not yet been filed.

Mr. Pati, learned advocate appearing for the *de facto*
complainant submits that the petitioner was having a relationship
when the victim girl was minor. She succumbed to burn injuries.

In view of the gravity of the offence, anticipatory bail needs to be refused.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the gravity of the offence, the post-mortem report and the extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise any discretion in favour of the petitioner.

The application for anticipatory bail, being CRM 2417 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.)