

CRM 2646 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Gangarampur Police Station Case No.23 of 2021 dated 19-01-2021 under Sections 341/326/307/34 of the Indian Penal Code and subsequently adding Section 302 of the Indian Penal Code.

- A n d -

In the matter of : Mukesh Chandra Sarkar

.... Petitioner.

Mr. Bitasok Banerjee

... For the Petitioner.

Mr. Swapan Banerjee,
Ms. Purnima Ghosh

... For the State.

The petitioner is one of several accused persons. the case was started under Sections 326/307 of the Indian Penal Code. Subsequently, Section 302 of the Indian Penal Code has been added upon the victim succumbing to the injuries.

The petitioner says that the incident is a result of political rivalry. He is not the principal assailant and had no active role to play in the incident. He is a school teacher. Charge Sheet has been submitted. His custodial interrogation is not necessary.

We have seen the statement of witnesses in the Case Diary. More than one eyewitness specifically named the petitioner as being actively involved in the incident. It is a case of murder.

On an overall assessment of the facts and circumstances of the case and the nature and gravity of the alleged offence, although Charge Sheet has been submitted,

we are not inclined to entertain the petitioner's prayer for anticipatory bail.

The application for anticipatory bail being CRM 2646 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.

(**Bivas Pattanayak, J.)**

(**Arijit Banerjee, J.)**