

27.09.2021
Item no.58
Court No.32.
S.De
(Rejected)

(Via Video Conference)

CRM No. 3218 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 08.04.2021 in connection with Bankura Police Station Case No. 42 of 2021 dated 11.03.2021 under Sections 376/417/306 of the Indian Penal Code.

And

In the matter of : Haranath Mahato.

.....Petitioner.

Mr. Krishnendu Bhattacharyya, Advocate,
Mr. Priyankar Gangully, Advocate,
.....for the Petitioner.

Mr. Jayanta Narayan Chatterjee, Advocate,
Mrs. Moumita Pandit, Advocate,
Mr. S. Naskar, Advocate,
Ms. Swagata Das, Advocate,
Ms. Ritushree Banerjee, Advocate,
.....for the de facto complainant.

Mr. Tanmoy Kr. Ghosh, Advocate,
Ms. Sima Biswas, Advocate,
.....for the State.

The allegation is that the petitioner and the victim were students in a Medical College, Bankura. They developed a relationship. They also cohabited. Subsequently, their relationship became acrimonious. The petitioner incited, aided and abetted the victim to commit suicide by jumping from the fifth floor of a building.

The petitioner says that he has been falsely implicated. He has no role to play in the alleged offence. It is true that the relationship between him and the victim deteriorated but that does not mean he can be made responsible for the suicide of the victim.

We have seen the material in the case diary including statements of various colleagues of the victim and the petitioner. Prima facie, there is material to implicate the petitioner. Investigation is in progress and is yet to be completed.

On an overall assessment of the nature of the allegations and prima facie incriminating material against the petitioner, we are of the view that custodial interrogation of the petitioner may be necessary in this case and the prayer of the petitioner for anticipatory bail ought not to be entertained.

The application for anticipatory bail being CRM 3218 of 2021 is, thus, dismissed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)