

30.11.2021
Item no.172
Court No.32
Avijit Mitra

C.R.M. 4354 of 2021 (through video conference)

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

And

In Re : Shashanka Mondal

.... petitioner

Mr. Debashis Kar,
Mr. Amanul Islam,
Mr. Sourav Mukherjee,
Mr. Husen Mustafi

....for the petitioner

Mr. Goutam Wilson

..... for the State

Apprehending arrest in connection with Nakashipara P.S. Case No. 114 of 2021 dated 15.03.2021 under Sections 417/306 of the Indian Penal Code, the petitioner has filed the present application.

Mr. Kar, learned lawyer appearing for the petitioner submitted that the deceased had a love affair with the petitioner. There was no instigation by the present petitioner to commit suicide. The present petitioner is innocent and therefore, anticipatory bail should be granted. He further submitted that the suicidal note is not verified.

Learned lawyer representing the State, inviting our attention to the suicidal note of the victim, submitted that strong incriminating elements are there in the case diary particularly, the suicidal note clearly implicates the present petitioner.

We have heard rival submissions and on perusal of the case diary we found, as submitted by the learned lawyer representing the State, that there are incriminating materials against the petitioner which are very strong and a suicidal note is there where the present petitioner is made responsible. Statement of witnesses also corroborates existence of a suicidal note

On perusal of other materials we are not inclined to exercise our discretion and the present application for anticipatory bail stands rejected.

Accordingly, the application for anticipatory bail being C.R.M. No.4354 of 2021 is 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.)