

62. 16.11.2021

Ct.29

Tanmoy

Rejected

C.R.M. 4939 of 2021

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

And

In the matter of: - **Sukdeb Halder**

...petitioner.

Mr. Shibaji Kumar Das,
Ms. Rupsa Sreemani

...for the petitioner.

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee

...for the State.

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that there is a previous complaint of rape against the deceased. The petitioner is not involved in the death of the deceased. The petitioner was falsely implicated. He submits that since the Police submitted charge-sheet, custodial interrogation of the petitioner is not required.

Learned Advocate for the State draws the attention of the Court to the statement recorded under Section 161 of the Code of Criminal Procedure, 1973 of the eyewitness. He submits that the petitioner is named in such statement.

Considering the materials in the Case Diary and considering the gravity of the offence and considering the fact that the statements recorded under Section 161 of the Code of Criminal Procedure, 1973 and the fact that the eyewitness

named the petitioner, we are unable to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail being C.R.M. 4939 of 2021 is rejected.

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

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)