

CRM No.6252 of 2021

Via video conference

14.12.21

(S.R.)

Sl.211

Ct.32

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Nakashipara** Police Station Case No.975 of 2013 dated 11.12.2013 under Sections 498A/302/34 of the Indian Penal Code;

And

In re: Kalu Sekh @ Sk

... petitioner.

Mr. Sumanta Das

... for the petitioner.

Mr. Tanmay Kr. Ghosh

Mr. Arindam Sen

... for the State.

Mr. Das, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. No overt act has been attributed to the petitioner and, in fact, the petitioner was not present at place of occurrence on the date of the alleged incident. At that juncture, he was working as a labourer in Chennai. Upon completion of investigation charge sheet has also been submitted and as such, custodial interrogation of the petitioner is not warranted.

Mr. Ghosh, learned advocate appearing for the State opposes the petitioner's prayer and submits that the petitioner had been absconding all along and charge sheet was filed showing him as an absconder.

Heard the learned advocates and considered the materials in the case diary.

Prima facie, there are incriminating materials against the petitioner. Considering the nature of allegations and his conduct, we are not inclined to exercise any discretion in his favour.

Accordingly, the application for anticipatory bail being CRM No.6252 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.)