

CRM No.7539 of 2021

**Via video conference**

22.12.21

(S.R.)

Sl.220

Ct.32

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Bandel G.R.P.S.** Case No.48 of 2021 dated 05/10/2021 under Sections 302/201/34 of the Indian Penal Code;

And

**In re: Tara Sankar Banerjee**

**... petitioner.**

Mr. S. Chatterjee

Mr. Aditya Tiwari

... for the petitioner.

Mr. Madhusudan Sur, APP

Mr. Dipankar Paramanick

...for the State.

Mr. Chatterjee, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated in the alleged offence. He is presently aged about 61 years and there is no likelihood that he would flee from justice or delay the trial by abscondence. The allegations are *omnibus* in nature and the petitioner's name does not feature in the FIR. In the said conspectus, custodial interrogation is not necessary.

Mr. Sur, learned Additional Public Prosecutor advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statements of the witnesses and the post mortem report.

Heard the learned advocates and considered the materials on record.

*Prima facie*, there are strong incriminating materials against the petitioner. Considering the gravity of the offence, the nature of accusations and since investigation is not yet complete, we are not inclined to exercise discretion in favour of the petitioner. As such, his prayer for anticipatory bail is rejected.

The application for anticipatory bail being CRM No.7539 of 2021 is, accordingly, 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.)**