

14.12.2021
Court No.32
rpan / 347

C.R.M. 7713 of 2021

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

And

In re: **Arnab Chattaraj**

- Petitioner

Mr. Shibaji Kr. Das,

Ms. Rupsa Sreemani

....for the Petitioner.

Ms. Faria Hossain,

Ms. Baisali Basu

....for the State.

Apprehending arrest in connection with Krishnanagar Kotwali Police Station Case No.1101 of 2021 dated 09.11.2021 under Section 306 of the Indian Penal Code, 1860, the present application has been preferred.

Mr. Das, learned advocate appearing for the petitioner submits that the petitioner is a government employee working in the post of Male Staff Nurse (Group – II) at Shaktinagar District Hospital and he has been falsely implicated in the present case. The staff of the said hospital including the petitioner and the victim arranged a picnic on the fateful date but ultimately the petitioner could not attend the same and he has no nexus with the alleged offence. The ingredients of Section 306 are not attracted in the respect of the petitioner. In the said conspectus, custodial interrogation is not warranted.

Ms. Basu, learned 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 appearing for the respective parties and considered the materials in the case diary.

Prima facie, we find strong incriminating materials against the petitioner. Considering the nature of accusation and the seriousness of the offence, we are not inclined to exercise any discretion in his favour and as such, his prayer for anticipatory bail is refused.

The application for anticipatory bail, being CRM No. 7713 of 2021 is, thus, 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.)