

06.07.2021
Court No.30
Item No. 15
Krishnendu
Dismissed

CRM 10604 of 2020
(Via video Conference)

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

And

In Re : **Saurabh Mukherjee @ Sourabh Mukherjee**
Petitioner

Mr. Bikramjit Dutta

For the Petitioner

Mr. Saswata Gopal Mukherjee

Mr. Neguive Ahmed

Mr. Anwar Hossain

Mrs. Amita Gaur

For the State

Apprehending arrest in connection with Tiljala P.S. Case No. 259 of 2020 dated 15.09.2020 under sections 120B/170/364A/324/419 of the Indian Penal Code, the petitioner has filed the present application.

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. No overt act has been attributed to him. He was the driver of the concerned car and had no involvement in the alleged offence. In the said conspectus, custodial interrogation of the petitioner is not necessary.

Mr. Hossain, learned advocate appearing for the State opposes the petitioner's prayer for anticipatory bail and draws our attention to several documents in the case diary, including the statement of the *de facto* complainant, as recorded under section 164 of the Code of Criminal Procedure. He further

submits that investigation is still in progress and charge sheet is yet to be filed.

We have heard the learned advocates appearing for the respective parties and considered the materials in the case diary. *Prima facie*, there are materials, which disclose the direct involvement of the petitioner in the alleged offence. Furthermore, investigation is yet to be completed and in the said conspectus, we are not inclined to exercise any discretion in favour of the petitioner. As such, the prayer for anticipatory bail of the petitioner is refused.

The application for anticipatory bail, being CRM 10604 of 2020 is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Suvra Ghosh, J.)

(Tapabrata Chakraborty, J.)