

04.03.21 In re: An application for anticipatory bail under Section 438 of the
(S.R.) Code of Criminal Procedure filed in connection with **Kandi** Police
Sl.54 Station Case **No.481 of 2020** dated **05.11.2020** under Sections
Ct.28 **420/406/323/34** of the Indian Penal Code;

And

In re: Partha Sarathi Das & Anr.

... petitioners.

Ms. Minoti Gomes

... for the petitioners.

Mr. Neguive Ahmed

Ms. Amita Gaur

...for the State.

Ms. Gomes, learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated. The allegations levelled against the petitioners are only to the extent that they have pushed out the *de facto* complainant from their house. The allegation that money was received by the father of the petitioners is also unfounded. In view thereof, custodial interrogation of the petitioners is not necessary.

Mr. Ahmed, learned advocate appearing for the State opposes the petitioners' prayer and submits that the petitioners had direct involvement in the alleged offence and they have not complied with the Section 41A notice served upon them.

Having heard the learned advocates and considered the materials in the case diary, the nature of allegations, their conduct and the extent of complicity of the petitioners, we are not inclined to exercise any discretion in their favour. As such, their prayer for anticipatory bail is rejected.

Accordingly, the application for anticipatory bail being CRM No.10821 of 2020, is dismissed.

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

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)