

11.03.2021
Court No.28
Item No. 44
Krishnendu
Rejected

CRM 10925 of 2020
(Via video Conference)

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

And

In Re : **Biswajit Mandal @ Fal Bishu**

Petitioner

Ms. Minati Gomes

Mr. Partha Sarathi Das

For the Petitioner

Mr. Madhusudan Sur, Id. A.P.P.

Mr. Manoranjan Mahata

For the State

Apprehending arrest in connection with Ranaghat P.S. Case No. 100 of 2020 dated 28.05.2020 under section 302 of the Indian Penal Code, the petitioner has filed the present application.

The learned advocate appearing for the petitioner submits that no overt act has been attributed to the petitioner. The allegations levelled against him are unfounded. Upon completion of investigation, charge sheet has also been filed and as such custodial interrogation of the petitioner is not necessary. She further submits that a co-accused person has already been enlarged on bail by an order dated December 1, 2020 passed in CRM 8471 of 2020.

Mr. Sur, learned advocate appearing for the State opposes the petitioner's prayer for anticipatory bail and draws our attention to the statements of the witnesses recorded under section 161 of the Code of Criminal Procedure and other materials in the case diary.

We have perused the materials in the case diary. *Prima facie*, we find that there are materials, which disclose the involvement of the petitioner in the alleged offence. Considering the gravity of the offence and the extent of complicity of the petitioner, we are not inclined to exercise any discretion in his favour. As such, the prayer for anticipatory bail of the petitioner is refused.

The application for anticipatory bail, being CRM 10925 of 2020 is, thus, dismissed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)