

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

20.09.2021

Court No.01
rpan / **72**

C.R.M. 260 of 2021

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

And

In Re : **Sri Abhiram Roy**

- Petitioner.

Mr. Kalipada Das

... for the petitioner.

Mr. Ujjwal Luksom,

Ms. Namrata Das

... for the State.

Apprehending arrest in connection with Alipurduar Police
Station Case No.416 of 2020 dated 20.09.2020 under Sections
448/323/325/306/506/34 of the Indian Penal Code, the
petitioner has filed the present application.

Mr. Das, learned advocate appearing for the petitioner
submits that that the petitioner has been falsely implicated. The
ingredients of Section 306 of the Indian Penal Code are not
satisfied. The victim committed suicide by hanging one day after
the alleged incident. In the said conspectus, custodial
interrogation is not necessary.

Mr. Luksom, learned advocate appearing for the State
opposes the petitioner's prayer and submits that a co-accused
person, namely, Dilip Shil Sharma surrendered before the learned
court below and obtained regular bail. He further submits that
investigation is still in progress.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the nature of allegations, the post-mortem report and the extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise any discretion in his favour. Accordingly, his prayer for anticipatory bail is refused.

The application for anticipatory bail, being CRM No. 260 of 2021 is dismissed.

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

(Abhijit Gangopadhyay, J.) (Tapabrata Chakraborty, J.)