

15.07.2021

Court No.28
Item No.08
(Rejected)

akd
&
as

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT**

JALPAIGURI

(Via Video Conference)

CRM 666 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with New jalpaiguri Police Station Case No. 1278 of 2020, dated 25.10.2020 under Sections 341/323/325/379/506/306/34 of the Indian Penal Code (G.R. Case No. 4666 of 2020);

And

In the matter of : **Manjan Roy**

...Petitioner

Mr. Jaydeep Kanta Bhowmik.

...For the Petitioner

**Mr. Arun Sarkar,
Ms. Namrata Das.**

...For the State.

The Advocate on Record of the petitioner undertakes to affirm and stamp the petition/application as per the Rules within four weeks from date. Subject to such undertaking the application is taken up for hearing.

Apprehending arrest in connection with New jalpaiguri Police Station Case No. 1278 of 2020 under Sections 341/323/325/379/506/306/34 of the Indian Penal Code, the petitioner has filed the instant application for anticipatory bail.

It is a case of abatement of suicide and the petitioner filed an application for anticipatory bail apprehending arrest in connection with the aforementioned case.

According to the learned Advocate for the petitioner, petitioner himself suffered injury because of the dash by the e-rickshaw driven by the deceased with his scooty and there was no threat perpetrated upon him and the entire case has been launched against him simply on the basis of such incident.

Learned Advocate for the State opposes the prayer for anticipatory bail and submits that the petitioner perpetrated constant threat upon the deceased after such accident and because

of the fear he committed suicide.

After hearing the respective submissions and on perusal of the materials available on record as also the statement of the wife of the deceased, we do not think that it is a fit case where the petitioner is entitled to the privilege of anticipatory bail.

The prayer for anticipatory bail of the petitioner is rejected.

The application for anticipatory bail being CRM 666 of 2021 is thus **dismissed**.

(Harish Tandon, J.)

(Subhasis Dasgupta, J.)