

17.12.2021
SL No.13
Court No.1
AJ

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

**CRM 1062 of 2021
(Via video Conference)**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Birpara Police Station Case No.122 of 2020 dated 03.09.2020 under Section 302 of the Indian Penal Code.

And
In the matter of : **Suresh Rai & Anr.**
....petitioners.

Mr. Pravas Bhattacharya.
... For the Petitioners.

Mr. Nilay Chakraborty,
Ms. Namrata Das.
... For the State.

The progress of status report filed on behalf of the State is taken on record.

The learned Counsel for the State submits that the petitioners have criminal antecedent as they were accused in Birpara Case No. 32 of 2020 dated 10th February, 2020 in which they have still shown absconding. However, whether any proclamation report has been issued in favour of the accused is not presently known to the learned Counsel presenting the State.

Considered the materials available on record and keeping in mind the complicity of the petitioners in commission of the alleged offence and also having regard to the antecedent of the present petitioners, we are not inclined to grant anticipatory bail to the petitioners.

The application for anticipatory bail, being CRM No.1062 of 2021 stands rejected.

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

(Biswajit Basu, J.)

(Soumen Sen, J.)