

22.02.2022

Court No.32
rpan / 11

CRM (A) 232 of 2022

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

And

In Re.: **Ashoke Roy**

- Petitioner

Mr. Angshuman Chakraborty,

Mr. Shashanka Shekhar Saha

... for the Petitioner.

Mr. Rudradipta Nandy

... for the State.

Apprehending arrest in connection with Santipur Police Station Case No.386 of 2020 dated 01.09.2020 under Sections 341/326/307/34 of the Indian Penal Code and Sections 25/27 of the Arms Act and adding Section 302 of the Indian Penal Code, the petitioner has filed the present application.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary, including the seizure list and the dying declaration.

Prima facie, we find strong incriminating materials against the petitioner, whose name features in the dying declaration. The offending weapon had been recovered from the petitioner's house. Considering the seriousness of the offence, its ramifications and the extent of the petitioner's complicity in the alleged offence, we are not inclined to exercise any discretion in his favour. As such, his prayer for anticipatory bail is refused.

The application for anticipatory bail, being CRM (A) 232 of 2022 is, thus, dismissed.

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

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)