

01.03.2022

Court No.32

rpan / **49**

CRM (A) 450 of 2022

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

And

In Re.: **Sri Bappa Biswas**

- Petitioner

Mr. Avik Ghatak

... for the Petitioner.

Mr. Saswata Gopal Mukherjee, Ld. P.P.,

Mr. Partha Pratim Das,

Ms. Pritha Paul

... for the State.

Apprehending arrest in connection with Raiganj Police Station Case No.959 of 2021 dated 26.10.2021 under Section 306 of the Indian Penal Code, 1860, the petitioner has filed the present application.

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated on the basis of a purported suicide note. The petitioner had no relationship with the victim. In view thereof, custodial interrogation of the petitioner may not be necessary and he may be granted anticipatory bail on any stringent condition.

Ms. Paul, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statements of the daughter of the victim lady and other witnesses as recorded under Sections 161 and 164 of the Code as well as the suicidal note.

Heard the learned advocates appearing for the respective parties. *Prima facie*, it appears from the materials in the case

diary that the complaint was registered immediately after the alleged incident and as such, the involvement of the petitioner in the alleged offence cannot be totally ruled out at this stage. Considering the seriousness of the offence, and since the investigation is still continuing, we are not inclined to exercise any discretion in favour of the petitioner. As such, his prayer for anticipatory bail is refused.

The application for anticipatory bail, being CRM (A) 450 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.)