

6 14.02.2022
(AD) Court No.29
(Rejected)

C.R.M. (A) 549 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Egra** P.S. Case No. **425 of 2021** dated **22/09/2021** under Sections **143/341/325/326/307/302** of the Indian Penal Code.

And

In the matter of: - Manas Kar

...petitioner.

Mr. Kallol Mondal
Mr. Subhash Jana

... for the petitioner.

Mr. Saibal Bapuli, Ld. APP

...for the State.

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner is not named in the statements recorded under Section 164 of the Code of Criminal Procedure. Three co-accused were granted bail by the jurisdictional Court. The police submitted charge sheet and, therefore, custodial interrogation of the petitioner is not required.

Learned Advocate appearing for the State draws the attention of the Court to the statements recorded under Section 164 of the Code of Criminal Procedure.

There is a statement in the case diary of the mother of the victim who is also an eye-witness of the incident recorded under Section 164 of the Code of Criminal Procedure. In her statement, the mother of the victim identified the assailants by the

ownership of their respective shops. In the First Information Report, the petitioner is identified as the owner of one of the shops which is named in the statements of the mother of the victim recorded under Section 164 of the Code of Criminal Procedure.

Considering the materials in the case diary, the gravity of the offence and the involvement of the petitioner therein, we are unable to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

C.R.M. (A) 549 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)