

17.03.2022
Item no.127
Court No.32
Avijit Mitra

C.R.M. (A) No. 608 of 2022

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

And

In Re : Nirmal Kumar

.... petitioner

Mr. Sourav Chatterjee,
Mr. Pawan Kumar Gupta,
Mr. Sougata Mitra,
Ms. Sofia Nesar,
Ms. Ankita Dey,
Mr. Santanu Sett

....for the petitioner

Mr. Neguive Ahmed,
Ms. Ayantika Roy

..... for the State

Apprehending arrest in connection with Jhalda Police Station Case No.199 of 2021 dated 12.12.2021 under Sections 143/325/326/307/302 of the Indian Penal Code, the present application has been preferred.

Mr. Chatterjee, learned advocate appearing for the petitioner submits that there was political rivalry between the parties and the petitioner has been falsely implicated. No specific overt act has been attributed to the petitioner. In the said conspectus, his custodial interrogation may not be necessary and he may be granted anticipatory bail on any condition.

Mr. Ahmed, the learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statement of the witnesses as recorded under Sections 161 and 164 of the Code as well as the medical documents. He further

submits that raids were conducted but the petitioner could not be arrested.

Answering our query, he submits that investigation is still continuing.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary.

Prima facie, we find strong incriminating materials against the petitioner. Considering the seriousness of the offence, the conduct of the petitioner and the possible extent of his complicity in the alleged offence, we are not inclined to grant him anticipatory bail more so when, investigation is still continuing.

Accordingly, the application for anticipatory bail being C.R.M.(A) 608 of 2022 is 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.)