

22.06.2022
Serial no. 32
Aloke

CRM (A) 2939 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Belpahari Police Station Case No. 07 of 2022 dated 20.02.2022 under Sections 498A/306/34 of the Indian Penal Code.

-And-

In the matter of : **Rabi Mudi**

... .. Petitioner

Mr. Ritwik Pattanayak, Advocate

... .. For the Petitioner

Mr. Tanmoy Kr. Ghosh, Advocate

Mr. Arindam Sen, Advocate

... ...For the State

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner was not present at the locale at the time of the incident.

Learned Advocate appearing for the State draws the attention to the postmortem report of the victim.

The body of the victim was recovered on February 20, 2022. The time of death is specified in the postmortem report between 12 to 24 hours. There is a statement recorded under Section 161 of the Code of Criminal Procedure stating that the petitioner took leave on February 20, 2022. It was a Sunday. The presence of the petitioner, therefore, cannot be ruled out entirely at this stage.

Consequently, we are unable to grant anticipatory bail to the petitioner.

The prayer for anticipatory bail is thus, rejected.

CRM (A) 2939 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)