

CRM 6080 of 2021
(via video conference)

Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

In the matter of : **Dilip Chowdhury**

..... petitioner

Mr. Dibyendu Chatterjee

.....For the petitioner

Mr. Soumik Ganguli

.....For the State

Apprehending arrest in connection with Narayanpur Police Station Case No. 70 of 2019 dated 03.10.2019 under Sections 399/402 of the Indian Penal Code, the present application has been preferred.

Mr. Chatterjee, learned advocate appearing for the petitioner submits that as a counterblast to a complaint lodged by the petitioner before the Assistant Commissioner of Police, Barrackpore Police Commissionerate on 23rd July, 2021, the present complaint has been registered. However, his name does not feature in the said complaint. He has been falsely implicated and upon completion of investigation, charge sheet has also been submitted. In view thereof, custodial interrogation may not be necessary and he may be granted anticipatory bail on any stringent condition.

Mr. Ganguli, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to several documents in the case diary.

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

Prima facie, we find that the petitioner has criminal antecedents and there are materials in the case diary which reveal his involvement in the alleged offence. Considering the seriousness of the offence, the nature of accusations and the possible extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise any discretion in his favour and as such, his prayer for anticipatory bail is refused.

The application being CRM 6080 of 2021 is, accordingly, 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.)