

04.01.2022

Sl.No. 251

Ct.No. 32

Amalranjan

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION
APPELLATE SIDE**

(Via Video Conference)

CRM No. 7730 of 2021

Re: An application for anticipatory bail under Section 438 of
the Code of Criminal Procedure, 1973.

Rejected

In the matter of : Laxman Mandal

..... Petitioner

Mr. Sourav Mukherjee

...for the Petitioner

Mr. Bidyut Kumar Roy

Ms. Sima Biswas

...for the State

Apprehending arrest in connection with Raiganj Police
Station Case No. 306 of 2021 dated 01.05.2021 under
Sections 306 and 34 of the Indian Penal Code, the petitioner
has filed the present application.

Mr. Mukherjee, learned advocate appearing for the
petitioner submits that the petitioner has been falsely
implicated. There is no material to reveal that the petitioner
has any nexus with the alleged offence. The issue as to
whether the petitioner has instigated the victim to commit
suicide is a matter to be decided at the appropriate stage in
the trial. In the said conspectus, custodial detention is not
necessary.

Mr. Roy, learned advocate appearing for the State
submits that the investigation is still continuing. There are

incriminating materials on record against the petitioner. For failure to repay Rs.9000/-, the petitioner was pressurized. Such fact would be explicit from the statement of the victim's daughter, as recorded.

Heard the learned advocates appearing for the respective parties and considered the materials on record.

Prima facie, there are strong incriminating materials on record against the present petitioner. Considering the nature of allegations and the extent of his complicity in the alleged offence, we are not inclined to exercise any discretion in favour of the petitioner.

Accordingly, the application for anticipatory bail, being CRM 7730 of 2021, is rejected.

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.)