

CRM 7756 of 2021
(via video conference)

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

In the matter of : **Monirul @ Md Manirul**

..... petitioner

Mr. Debapratim Guha

.....For the petitioner

Mr. Madhusudan Sur, Ld. APP

Mr. Arijit Ganguly

Mr. Avik Ghatak

.....For the State

Apprehending arrest in connection with Goalpokher Police Station Case No. 88 of 2021 dated 01.04.2021 under Sections 498A/302/380/34 of the Indian Penal Code, the present application has been preferred.

Mr. Guha, learned advocate appearing for the petitioner submits that the petitioner is the step-son of the victim and had been falsely implicated. The complaint was lodged about nine months after the alleged incident and as such, the possibility of exaggeration of the allegations cannot be ruled out. No overt act has been attributed to the petitioner. Upon completion of investigation, charge sheet has also been submitted and as such, custodial detention is not warranted.

Mr. Sur, learned Additional Public Prosecutor representing the State opposes the petitioner's prayer and draws our attention to several documents in the case diary including the statements of the witnesses and the post mortem report.

Answering a query of this Court, Mr. Guha informs that other co-accused persons have been granted bail.

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

Prima facie, there are strong incriminating materials against the petitioner. Considering the nature of the allegations, the seriousness of the offence and the extent of his complicity in the alleged offence, we are not inclined to exercise any discretion in favour of the petitioner and as such, his prayer for anticipatory bail is refused.

The application CRM 7756 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.)