

11.01.2022
Ct. No. 32
Sl. No.43
akd

C. R. M. 8168 of 2021

[via video conferencing]

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

And

In Re: **Sumit Chowdhury**

... .. Petitioner

Mr. Ujjal Ray

... .. for the petitioner

Mr. Narayan Prasad Agarwala

Mr. Pratick Bose

Ms. Subhasree Patel

... .. for the State

Apprehending arrest in connection with Chandannagore Police Station Case No.52 of 2021 dated 04.03.2021 under Sections 341/323/307/506/34, the present application has been preferred.

Mr. Ray, learned advocate appearing for the petitioner, submits that the petitioner has been falsely implicated due to previous enmity. The allegations are omnibus in nature. No specific overt act has been attributed to the petitioner. He further submits that the complaint was lodged about seven days after the alleged incident and as such the possibility of exaggerated account of the incident cannot be ruled out. Upon completion of investigation, charge sheet has also been submitted and as such custodial interrogation is not necessary.

Mr. Agarwala, learned advocate appearing for the State, opposes the petitioner's prayer and draws our attention to the statements of witnesses and the injury report.

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 nature of accusations, the injury report and the extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise any discretion in his favour.

Accordingly, the application for anticipatory bail, being CRM 8168 of 2021 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.)