

13.01.2022
Ct. No. 32
Sl. No.27
akd

C. R. M. 8357 of 2021

[via video conferencing]

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

And

In Re: ***Ganesh Hasda***

... .. Petitioner

Mr. Koushik Chowdhury
Ms. Busra Khatoon

... .. for the petitioner

Mr. Saibal Bapuli .. Ld. Addl. Public Prosecutor
Mr. Bibaswan Bhattacharya

... .. for the State

Apprehending arrest in connection with Dalkhola Police Station Case No.278 of 2021 dated 06.11.2021 under Sections 302/201/34, the present application has been preferred.

Mr. Chowdhury, learned advocate appearing for the petitioner, submits that the petitioner has been falsely implicated in the alleged incident. No overt act has been attributed to the petitioner and he has been roped in on the basis of mere suspicion. In view thereof, custodial interrogation is not necessary.

Mr. Bhattacharya, learned advocate appearing for the State, opposes the petitioner's prayer and draws our attention to the statements of witnesses and the post-mortem report. He further submits that investigation is still continuing.

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

Prima facie, there are incriminating materials against the petitioner. Investigation is also at its nasence. Considering the seriousness of the offence and the extent of complicity of the petitioner

in the alleged offence, we are not inclined to exercise any discretion in his favour. As such, his prayer for anticipatory bail is refused.

Accordingly, the application for anticipatory bail, being CRM 8357 of 2021 is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Md. Nizamuddin, J.)

(Tapabrata Chakraborty, J.)