

18.01.2022

Court No.32
rpan / 31

CRM 8552 of 2021

[through Video Conferencing]

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

And

In Re.: **Shahimuddin @ Saimuddin @ Sahimuddin @ Sakimuddin**
- Petitioner

Mr. Shaharayar Alam,
Md. M. Nazar Chowdhury
... for the Petitioner.

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee
... for the State.

Apprehending arrest in connection with Goalpokher Police Station Case No.12 of 2020 dated 14.01.2020 under Sections 302/34 of the Indian Penal Code, 1860, the petitioner has filed the present application.

Mr. Alam, learned advocate appearing for the petitioner submits that there is no material to link the petitioner with the alleged offence. He has been falsely implicated. Upon completion of investigation charge sheet has also been submitted and as such, custodial interrogation is not necessary.

Mr. Ghosh, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statements of the witnesses as recorded under Section 161 of the Code, the post-mortem report and submits that repeated attempts were made to arrest the petitioner but in vain.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the gravity of the offence, the conduct of the petitioner and his

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

The application for anticipatory bail, being CRM 8552 of 2021 is, thus, dismissed.

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

(Ajoy Kumar Mukherjee, J.) (Tapabrata Chakraborty, J.)