

10.02.2022
Item no. 207
Court No.32
Avijit Mitra

C.R.M. 8882 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Hanskhali Police Station Case No.193 of 2021 dated 24.03.2021 under Sections 534/307/420/406/465/468/506/34 of the Indian Penal Code, 1860;

And

In Re : Aniket Ghosh

.... petitioner

Mr. Soumik Ganguly,
Ms. Sampa Ghosh

....for the petitioner

Mr. S.S. Imam,
Mr. Arabinda Manna

..... for the State

Mr. Ganguly, learned lawyer for the petitioner submitted that there was running mutual accounts between the parties. The allegation that the present petitioner along with another Amitava Samanta duped the *de facto* complainant and misappropriated a sum of Rs. 19,00,000/- (approx) is absolutely false and frivolous. Both the parties had monetary transactions which is not unilateral in nature. The present incriminating material does not warrant custodial detention of the petitioner and accordingly anticipatory bail is prayed for.

Per contra Mr. Manna, learned lawyer representing the State vehemently opposes the anticipatory bail application on the ground that materials available on record corroborate the allegations made by the petitioner. The allegation is grave and serious which demands custodial detention. Accordingly, anticipatory bail is opposed.

We have heard rival submissions and perused the case diary. Injury report corroborates the allegation of strangulation.

On perusal of injury report, bank statement and statement of the witnesses we find strong incriminating elements against the present petitioner showing his complicity in the alleged offence. The allegation is serious and investigation is still going on. Therefore, we are not inclined to allow the application for anticipatory bail.

The application for anticipatory bail being C.R.M. No.8882 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.)