

28.09.2022
Serial no. 51
[Dd]
(Anticipatory bail)
(Rejected)

CRM (A) 4633 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with G. R. Case No. **563 of 2021** arising out of **Kaliachak** Police Station Case No. **117 of 2021** dated **02.02.2021** under Sections **341/326/307/302/34** of the Indian Penal Code read with Sections **25/27/35** of the Arms Act.

-And-

In the matter of : **Samaun Sk**

... ..**Petitioner**

Mr. Krishnendu Bhattacharya,
Mr. Priyankar Ganguly, Advocates
... .. For the Petitioner
Mr. Swapan Banerjee,
Mr. Suman De, Advocates
... ..For the State

The presence of the petitioner at the locale where the murder took place is in the statement recorded under Section 164 of the Criminal Procedure Code.

It is contended on behalf of the petitioner that his name was inserted later in a statement recorded under Section 164 of the Criminal Procedure Code. Such contention is an issue to be decided at the trial, if so raised. As on date there are materials in the case diary implicating the petitioner in the murder.

Consequently, we are not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner is **rejected**.

CRM (A) 4633 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)