

22.12.2022
Serial no.23
Aloke

CRM (A) 5942 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Kotwali Police Station Case No. 159 of 2022 dated 15.03.2022 under Sections 302/120B/34 of the Indian Penal Code.

-And-

In the matter of : **Japabrata @ Bapi Das & Anr.**

... .. Petitioners

Mr. Soumyajit Das Mahapatra, Advocate

... .. For the Petitioners

Mr. Madhusudan Sur, Id. APP

Mr. Manoranjan Mahata, Advocate

... .. For the State

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the petitioners were falsely implicated. There are CC TV footage of the incident. The petitioners did not play any role in the murder. The police file charge-sheet and, therefore, custodial interrogation of the petitioners is not required.

Learned Advocate appearing for the State submits that the petitioners stand implicated in the statement of an eye witness recorded under Section 164 of the Code of Criminal Procedure. The petitioners stand in the same footing as that of Sujit Manda whose prayer for anticipatory bail was rejected by this Hon'ble Court.

An eye witness recorded a statement under Section 164 of the Code of Criminal Procedure which implicates the petitioners in the incident of murder.

In such circumstances, we are unable to grant anticipatory bail to the petitioners.

Prayer for anticipatory bail of the petitioners is rejected.

CRM (A) 5942 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)