

03.01.2022
Item no.29.
Court No.01.
S. De
(rejected)

(Via Video Conference)

Circuit Bench of Calcutta High Court
at Jalpaiguri

CRM No. 1212 of 2021

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 17.12.2021 in connection with Dinhata Police Station Case No. 251 of 2021 dated 13.05.2021 under Sections 365/302/201/34 of the Indian Penal Code.

And

In the matter of : Anil Chandra Sarkar Petitioner.

Mr. Surajit Basu,
Mr. Ratan Chandra Roy,
.....for the Petitioner.

Mr. Aditi Shankar Chakraborty, Ld. Addl. P.P.,
Mr. Sourav Ganguly, for the State.

The petitioner says that he has no involvement in the alleged crime of kidnapping, murder and secreting evidence. He relies on the chargesheet to argue that the Investigating Officer himself says that the victim was last seen with one Goutam Sarkar in his Toto. The petitioner says that the principal accused Goutam Sarkar is on bail. However, we find that the first person named in the FIR is the petitioner.

We have seen the material in the case diary. Several witnesses have recorded their statements under Sections 161/164 of the Code of Criminal Procedure implicating this petitioner.

Considering the gravity of the alleged offence and the prima facie incriminating material against the petitioner, although the petitioner may have been in custody for about 230 days, we are not inclined to entertain the petitioner's prayer for bail, at this stage.

The application for bail is, accordingly, rejected.

CRM 1212 of 2021 is dismissed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Aniruddha Roy, J.)

(Arijit Banerjee, J.)