

31.03.2023

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Ct. No. 29

CHC

Rejected

C.R.M.(A) 1384 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Suti** Police Station Case No. **617** of **2022** dated **26.11.2022** under Sections **341/324/325/304/34** of the Indian Penal Code, 1860.

And

In the matter of : Jaber Sk

..... petitioner

Mr. Sabir Ahmed,
Mr. Shraman Sarkar,
Mr. O. Molla

....for the petitioner

Ms. Zareen N. Khan,
Mr. Arup Sarkar

....for the State

Post Mortem Report of the victim suggests that the death was due to the effects of injuries noted above ante mortem and homicidal in nature.

It is the contention of the petitioner that the petitioner is not the family member. There was unexplained delay in lodgment of First Information Report. The petitioner was falsely implicated.

Materials in the case diary suggest involvement of the petitioner in the incident.

There is a statement recorded under Section 161 of the Criminal Procedure Code by mother of the victim, suggesting motive and implicating the petitioner.

In such circumstances, considering the gravity of the offence and involvement of the petitioner in the incident, we are unable to grant anticipatory bail to the petitioner.

CRM (A) 1384 of 2023 is rejected.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)