

04.07.2023
Item no.50.
Court No.01.
S. De
(Rejected)

Circuit Bench of Calcutta High Court
at Jalpaiguri

CRM (A) No.479 of 2023

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 23.06.2023 in connection with Birpara Police station Case No. 93 of 2022 dated 17.05.2022 under Sections 302/120B/34 of the Indian Penal Code.

And

In the matter of : Kebal Mangar @ Kewal Mangar.

.....Petitioner.

Mr. Hillol Saha Poddar,
.....for the Petitioner.

Mr. Aditi Shankar Chakraborty, Ld. APP
Mr. Sourav Gangully,
Mr. Dhiman Sil,for the State.

The petitioner says that he has no involvement in the alleged crime. The principal accused person shot the victim. The petitioner was nowhere in the scene. The false allegation is that the petitioner and another person helped the assailants to shot at the victim.

Learned State advocate says that the petitioner was very much at the place of occurrence. The victim, after suffering gun injury, while he was being taken to the hospital where he succumbed to the injury, named certain persons who were present at the spot and who were in league with the assailants. One of such persons is the petitioner.

Considering the facts and circumstances of the case and the material on record, although charge sheet has been submitted, we are not inclined to allow the petitioner's prayer for anticipatory bail.

The prayer for anticipatory bail is, accordingly, rejected.

CRM (A) 479 of 2023 is dismissed.

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

(Partha Sarathi Sen, J.)

(Arijit Banerjee, J.)