

08.01.2024
Item No.41
Ct. No. 29
CHC
Rejected

C.R.M.(A) 29 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Arambagh** Police Station Case No. **420** of **2023** dated **05.12.2023** under Sections **498A/304/34** of the Indian Penal Code.

And

In the matter of : Sk. Aynal

..... petitioner

Mr. Suman Chakraborty
....for the petitioner

Mrs. Debjani Sahu
....for the State

Mr. Niladri Sekhar Ghosh,
Ms. Sompurna Chatterjee,
Mr. Sourov Mondal
....for the de facto complainant

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, petitioner was made to execute a document under pressure on December 4, 2023 when the victim expired. Victim expired on natural causes.

State and the de facto complainant are represented.

Learned advocate appearing for the de facto complainant submits that, petitioner used to represent himself as a doctor. He carried on treating the victim for 25 days as a doctor. About

40 bottles of saline was administered upon the victim prior to her death by the petitioner.

Learned advocate appearing for the State draws the attention of the Court to the materials in the Case Diary.

The Post Mortem Report does not specify any opinion as to the cause of death.

There are materials in the Case Diary suggesting that, petitioner indulged in activities as a doctor while he was not. The materials in the Case Diary also suggest that the petitioner was treating the victim for 25 days just prior to the death as doctor.

Complicity of the petitioner in the incident cannot be overlooked at this stage.

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

This application for anticipatory bail is, thus, rejected.

CRM(A) 29 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)