

02.01.2024
06
Ct. No. 29
S.D.
REJECTED

C.R.M.(A) 4203 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **English Bazar** Police Station Case No. **1470** of **2023** dated **6.9.2023** under Section 306 of the Indian Penal Code.

And

In Re : Kaushik Mandal @ Koushik Mandal
..... petitioner

Mr. Navanil De
Ms. Monami Mukherjee
....for the petitioner

Mr. Prasun Kumar Datta
Mr. Nirupam Dhali
....for the State

The application for anticipatory bail is taken up for consideration subsequent to the order dated October 16, 2023.

By such order dated October 16, 2023, the petitioner was enlarged on an interim anticipatory bail by the Coordinate Bench.

It is submitted at the bar that, the interim anticipatory bail was passed just prior to the vacation without considering the materials in the case diary.

We considered the materials in the case diary.

The victim left behind a suicide note.

In the suicide note, the victim implicates the petitioner in taking money on the promise of grant of job and not engaging the petitioner for the job so far.

Learned advocate appearing for the petitioner submits that, the victim and the petitioner along with another entered into a partnership. The partnership failed. In any event, the petitioner refunded the money that was taken from the victim.

The so-called claim of the petitioner of refund relates to a portion of the sum claimed to be paid by the victim to the petitioner in the suicidal note.

Moreover, the aspect of taking money on the ground of promise of job requires investigation.

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

Accordingly, prayer for anticipatory bail of the petitioner is rejected and the application being CRM (A) 4203 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)