

18.11.2024
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Rejected

CRM (A) 3953 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Hariharpara Police Station Case No. 529 of 2023 dated 23.11.2023 under Sections 302/34 of the Indian Penal Code subsequently addition of Sections 201/120B of the Indian Penal Code.

And

In Re : Nusiyat Sk. @ Nasiyat Sk. @ Nasiyat Sekh. petitioner

Mr. Sekhar Kumar Basu, Sr. Adv.

Mr. Antarikhya Basu

Ms. Madhumita Basak

..... for the petitioners

Mr. Bibhaswan Bhattacharya

Mr. Afreen Begum

..... for the State

Ms. Minoti Gomes

Mr. J. I. Hossain

..... for the de facto complainant

1. Learned senior Counsel for the petitioner submits there was a dispute amongst family members due to the fact that the daughter of the co-accused Majibar Khan had eloped with the son of the deceased. He has been falsely implicated. He prays for anticipatory bail.

2. Learned Counsel for the State opposes the prayer for anticipatory bail and submits petitioner had threatened family of the deceased on a number of occasions. Thereafter deceased was taken to the house of Majibar and thereafter his body was dropped at the local hospital.

3. We have considered the materials on record. Statement of wife of the deceased show her husband was threatened on a number of occasions and on the fateful day he was taken to the house of Majibar. Her statement implicates the petitioner in the alleged crime. Accordingly, we are not inclined to grant anticipatory bail to the petitioner.

4. Accordingly, prayer for anticipatory bail is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)