

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

08.03.2024

Court No.1
Item.110
(Srimanta)

CRM(A) 147 OF 2024

In Re: An application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973 filed in connection with New Jalpaiguri Police Station Case No. 1147/2023 dated 17.12.2023 under Section 302 of the Indian Penal Code, 1860 corresponding to GR Case No. 6424/2023.

And

In the matter of: **Jogesh Roy.**

. . .Petitioner.

Mr. Somraj Paul,
Ms. Srishti Sarkar

... For the petitioner.

Mr. Nilay Chakraborty,
Mr. Biswarup Roy

...For the State.

1. Although the involvement of the petitioner can only be found in a statement made by the petitioner's employer to the Police under Section 161 of the Code of Criminal Procedure, custodial interrogation of the petitioner may be required since investigation is going on. We note that the alleged incident took place on 16th December, 2023 and the prosecution is still to recover the murder weapon from the petitioner.

2. Hence, we are not inclined to allow the prayer for anticipatory bail.
3. The application for anticipatory bail being CRM (A) 147 of 2024 is accordingly rejected.

(PRASENJIT BISWAS,J.)

(MOUSHUMI BHATTACHARYA,J.)