

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri**

21.05.2024.
12.
as
(Rejected).

C.R.M. (A) 395 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Tufanganj P. S. Case No.5 of 2024 dated 01.01.2024 under Sections 302/201/34 of the Indian Penal Code.

In the matter of : **1. Md. Hafej Ali Mandal;**
2. Korban Ali Mandal;
3. Amrul Sayed Mondal &
4. Abdul Gani Mondal.

... Petitioners.

Ms. Suman Sehanabis (Mondal),
Mr. Salok Sah,
Ms. Anwesha Chakraborty.

...for the Petitioners.

Mr. Ujjwal Luksom,
Mr. Subhasis Mishra.

.....for the State.

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. Further opinion of the doctor has placed on record. Doctor has clarified why the death was described as homicidal hanging. Petitioners had abducted the victim and thereafter forcibly hanged him.
3. In view of the aforesaid materials and the opinion of the post mortem doctor with regard to cause of death i.e. homicidal hanging, we are of the opinion this is not a fit case to grant anticipatory bail.

4. Under such circumstances, we are not inclined to grant anticipatory bail to the petitioners.

5. Accordingly, the prayer for anticipatory bail of the petitioners is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)