

21.08.2024
Court No.1
Item No.12
pk/AP

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

CRM(A) 538 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Dinhata** P.S. Case No.**51 of 2024** dated **23.01.2024** under Sections **302/379/34** of the Indian Penal Code.

And

In the matter of: **Manoj Kumar Dey Sarkar @ Chhotu**

....Petitioner.

Mr. Sudip Guha

...for the petitioner.

Mr. Abhijit Sarkar

Mr. Kallol Nag

...for the State.

1. This second application for anticipatory bail is made on the ground that in the interregnum the co-accused persons have been granted bail.

2. It appears from the order dated 25th April, 2024 granting anticipatory bail to the co-accused persons in CRM(A) 303 of 2024 that the applicant herein is the principal accused and the statement of the witnesses and the complainant indicate that the petitioner is the main person behind the offence.

3. In that view of the matter, this Court is not inclined to grant anticipatory bail to the petitioner.

4. The application for the anticipatory bail is thus rejected.

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)