

23.09.2024

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Ct. No. 29

S.D.

REJECTED

C.R.M.(A) 683 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kumargram** Police Station Case No. **272 of 2023** dated **20.12.2023** under Sections **304/34 of the Indian Penal Code**.

And

In Re : **Jaydev Ray @ Joydeb Roy @ Jaydeb Roy**

..... petitioner

Mr. Arnab Saha

...for the petitioner

Mr. Nilay Chakraborty, Ld. A.P.P.,

Mr. Tapan Bhattacharjee

.... for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner refers to the FIR. He submits that, no role was attributed to the petitioner. Police filed charge sheet. Therefore, placing the petitioner in custody is no longer required.

Learned advocate appearing for the State draws the attention of the court to the materials in the case diary including the post mortem report.

Apparently, the victim succumbed to his injuries due to the faulty operation of a JCB making a portion of it to fall on his head.

The FIR names the petitioner as a person involved. Materials in the case diary also suggest that the petitioner is involved in the incident. Moreover, there is a death of a person involved.

In such circumstances, we are unable to grant the facility of anticipatory bail to the petitioner and the prayer for anticipatory bail petitioners is rejected.

The application being **CRM (A) 683 of 2024** is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)