

06.12.2024
SL No.12
s.biswas
(Rejected)

**Calcutta High Court
In The Circuit Bench at Jalpaiguri**

C.R.M. (A) 985 of 2024

In Re: - An application for bail under Section 482 of the BNSS corresponding to Section 438 of the Cr.P.C. in connection with **Rajganj** P.S. Case No. **387/2024** dated **03.11.2024** under Section **105** of the BNS.

And

In the matter of: **Bishnupada Sarkar @ Bisnu Sarkar**
....Petitioner

Mr. Jaydeep Kanta Bhowmik
Ms. Debi Sarkar
Ms. Jasmin Hoque
Ms. Moumita Shome

... for the petitioner

Mr. Sandip Guha Roy
Mr. Ananda Paul

...for the de facto complainant

Mr. Kallol Acharjee
Mr. Kallol Nag

...for the State

1. The petitioner prays for anticipatory bail on the ground of false implication. According to the petitioner, the FIR does not disclose commission of any cognizable offence. Death of the victim was an accidental. Three children were being driven by the petitioner in his toto. The accident occurred. Two other children did not sustain any injury, but the victim succumbed to injury a day later.
2. Learned counsel appearing on behalf of the state produces the case diary and opposes the prayer for anticipatory bail.
3. Learned advocate for the de facto complainant opposes the prayer for anticipatory bail and submits that the petitioner has been constantly threatening and pressurizing the de

facto complainant to withdraw the complaint. The complaint was lodged with Rajganj police station.

4. Considering the fact that the investigation is at its nascent stage and also considering the post mortem report, we are not inclined to grant anticipatory bail to the petitioner at this stage.
5. The application for anticipatory bail is, thus, rejected.

(Partha Sarathi Chatterjee, J.)

(Shampa Sarkar, J.)