

28.01.2020
RP/ct 1
sl no. 30
Rejected

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

C.R.M. 115 of 2020

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed on 24.01.2020 in connection with Bagdogra P.S. Case No.263 of 2019 dated 25.08.2019 under sections 302/34 of Indian Penal Code.

And

In Re : Antulal Oraon applicant

Mr. Arnab Sengupta
Mr. Deborshi Dhar

..... for applicant

Mr. Nilay Chakraborty
Mr. Saikat Chatterjee

.....for State

Mr. Sengupta, learned advocate appears on behalf of applicant seeking anticipatory bail in connection with Bagdogra P.S. Case no.263 of 2019 dated 25.08.2019 under sections 302/34 of Indian Penal Code. He submits, his client had dispute with de facto complainant. Case and counter case were lodged. De facto complainant has alleged that when he went to answer notice issued under section 41A in Code of Criminal Procedure, 1973, his client had allegedly caused death of his daughter. He seeks anticipatory bail on any condition imposed. Mr. Chakraborty, learned advocate appears on behalf of State and hands up the case diary drawing attention to, inter alia, postmortem report and report under section 174 of the Code. He submits, applicant is absconding. Custodial interrogation is necessary for purpose of investigation.

We reject this application with observation that applicant can surrender and apply for regular bail.

(Arindam Sinha, J.)

(Biswajit Basu, J)