

25.06.2019.
Item No.25
(Rejected)
ab

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI

C.R.M. 144 of 2019

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 12.04.2019 in connection with New Cooch Behar Government Railway Police Station Case No. 01 of 2005 dated 01.02.2005 (G.R. Case No. 29 of 2005) for commission of offence punishable under Sections 468/471 of the Indian Penal Code, 1860;

And

In the matter of : Tuku Sk. alias Khairul Sekh

... petitioner.

Mr. Prithviraj Sinha Roy.

...For the petitioner.

Mr. Aditi Sankar Chakraborty, Id. APP,
Mr. Sagnik Sankar Sikdar.

...For the State.

Heard the learned Advocates appearing on behalf of the parties.

Apprehending arrest in the connection with New Cooch Behar Government Railway Police Station Case No. 01 of 2005 dated 01.02.2005 (G.R. Case No. 29 of 2005) for commission of offence punishable under Sections 468/471 of the Indian Penal Code, 1860, the petitioner has filed the instant application for anticipatory bail.

The aforesaid case started as far back as on 1st February 2005 on the recovery of fake and fabricated railway tickets from two other persons, who are co-accused in the said case. It was divulged in course of interrogation that the

petitioner handed over those spurious railway tickets and since then the petitioner is getting away with arrest.

According to the State, the petitioner has already been declared as absconder and the charge-sheet in the same fashion has already been submitted.

It is really unfortunate and matter of grave concern that no progress has been seen to the trial even against the other two co-accused, who were arrested and later on enlarged on bail.

Pursuant to the materials available in the case diary as well as the statements of the other co-accused, the complicity of the petitioner to the alleged offence cannot be ruled out at this stage.

The application for anticipatory bail of the petitioner is, thus, rejected.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with all requisite formalities.

(Hiranmay Bhattacharyya, J.)

(Harish Tandon, J.)