

04.09.2020

Item No.42

Dc/Aj.

Rejected

C.R.M. 5742 of 2020
C.R.A.N. 1 of 2020 (Old No. C.R.A.N. 4127 of 2020)
(Through Video Conference)

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with G.R. Case No. 5402 of 2019 arising out of Malda Police Station Case No. 729 of 2019 dated 21.11.2019 under Sections 392/120B of the Indian Penal Code.

And

In the matter of : Suchandan Gupta. ... Petitioner.

Mr. Ramdulal Manna. ... For the Petitioner.

Mr. Bidyut Kumar Roy,
Ms. Rita Datta. ... For the State.

Petitioner undertakes to affirm and stamp the petition/application as per Rules within one month of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

The learned advocate for the petitioner submits that the petitioner is innocent of the charges and he has been falsely implicated in this case. The learned advocate further submits that the petitioner is a bona fide businessman carrying on his business under a trade licence.

The learned advocate for the State opposes the prayer for anticipatory bail and submits that there was seizure of gold from an accused and it has revealed that the present petitioner was involved in commission of the offence under Section 411 of the Indian Penal Code.

Having considered the materials in the case diary, we are not inclined to allow the prayer for anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

CRM 5742 of 2020 and CRAN 4127 of 2020 are disposed of.

(Tirthankar Ghosh, J.)

(Samapti Chatterjee, J.)