

29.9.2020
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CRM 7270 of 2020
with
I A No. CRAN 1 of 2020
(Via Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Mogra P.S. Case No. 183 of 2020 dated 30.7.2020 under Sections 381 of the Indian Penal Code.

And

In the matter of: **Sanjib Das**

....Petitioner.

Ms. Jeenia Rudra

...for the Petitioner.

Mr. Tanmoy Kumar Ghosh

Ms. Sima Biswas

...for the State.

The petitioner undertakes to affirm and stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

Learned advocate for the petitioner submits that though the case has been registered under Section 381 of the Indian Penal Code yet no notice has been served upon the petitioner under Section 41A of the Criminal Procedure Code. Learned advocate further submits that there was a delay in lodging First Information Report.

Learned advocate for the State draws attention to the statement of the General Manager of the Bandel Thermal Power Station, Magra and also draws attention to a document reflecting

the receipt which indicates involvement of the petitioner in respect of cables worth more than Rs. 17 lakhs.

We have perused materials in the case diary as also the materials collected by the Investigating Agency, which involves Government properties and an employee associated with the Government Department.

Considering the nature and the gravity of the offence and the manner in which offence has been carried out, we are not inclined to extend the benefit or privilege under Section 438 of the Code to the present petitioner.

Accordingly, prayer for anticipatory bail is rejected.

CRM 7270 of 2020 and CRAN 1 of 2020 are disposed of.

(Subrata Talukdar, J.)

(Tirthankar Ghosh, J.)