

05.10.2020

Item No.35

Ct.No.11

P.J & S.M

**C.R.M. 7367 of 2020
(IA No. C.R.A.N 1 of 2020)**

(Through Video Conference)

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Uluberia P.S. Case No. 182 of 2017 dated 27.02.2017 under Sections 147/148/149/341/332/186/353/427 of IPC and under Section 9 of protection from Destruction of Public Property Act and under Section 9 of Maintenance of Public Order Act.

And

In the matter of : Subhendu Mondal @ Shubhendu & Ors.
... Petitioners.

Mr. Kunal Roy,
.... For the petitioners.

Mr. Narayan Prasad Agarwala,
Ms. Subhashree Patel,

..... For the State.

Petitioners undertake to affirm and stamp the petition/application as per Rules within a month of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conferencing.

Learned Counsel for the petitioners submits that other accused persons have been falsely implicated in the present case.

It is further contended that out of 23 accused, five persons have been enlarged on bail. Therefore, the

petitioners' application for anticipatory bail should be allowed.

Learned Counsel for the State opposes the prayer for bail and further contends that out of 23 accused, 18 are still absconding and 5 accused have been enlarged on bail. Therefore, the Court should not entertain the prayer for anticipatory bail.

After perusing the memorandum of evidence, in our considered view, anticipatory bail should not be granted.

Accordingly, the application for anticipatory bail is rejected.

The connected application being CRAN 1 of 2020 is accordingly disposed of.

(Aniruddha Roy, J.)

(Samapti Chatterjee, J.)