

December 02, 2020
ARDR
(Serial No. 18)
Rejected

**CRM 9489 of 2020
(Via Video Conference)**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Khanakul Police Station case no. 58 of 2020 dated 20/2/2020 under Sections 3 and 4 of E.S. (Explosive Substance) Act.

In Re : Sk. Abdul Rasid @ Rasid Mallick

... petitioner

Mr. Pintu Karar,

.....for the petitioner

Mr. Imran Ali,

Ms. Manasi Roy,

....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.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated and at least three accused persons similarly placed have been granted bail.

The learned counsel for the State however, submits that Rasid Mallick, the petitioner herein, is the prime accused and he has criminal antecedent.

Having considered the materials on record and the statements of the independent witnesses recorded under Section 161 of the Criminal Procedure Code, *prima-facie*, involvement of the petitioner in the alleged crime is established.

Under such circumstances, we are not inclined to release the petitioner on anticipatory bail.

The prayer for anticipatory bail is thus, rejected.

(Saugata Bhattacharyya, J.)

(Soumen Sen, J.)