

CRM No.518 of 2021

05.03.21 In re: An application for anticipatory bail under Section 438 of the
(S.R.) Code of Criminal Procedure filed in connection with **Kaliachak** Police
Sl.13 Station Case **No.56 of 2015** dated **01.02.2015** under Sections **302**
Ct.28 **and 34** of the Indian Penal Code read with section **25(i(a))/27** of Arms
Act (G.R. Case **No.310 of 2015**);

And

In re: Sayem Biswas

... petitioner.

Mr. Kazi Mokhlasur Rahman

... for the petitioner.

Mr. Rudradipta Nandy

...for the State.

The learned advocate appearing for the petitioner submits that there was a previous land dispute between the parties and the petitioner has been falsely implicated. Upon completion of investigation charge sheet was filed in the year 2018. In the said conspectus and as investigation is over, custodial interrogation of the petitioner is not necessary.

Mr. Nandy, learned advocate appearing for the State opposes the petitioner's prayer and submits that the FIR is dated 1st February, 2015. The materials on record would clearly reveal the direct involvement of the petitioner. The prayer for anticipatory bail of co-accused persons was dismissed way back in the month of November, 2016. The petitioner had all along been absconding and as such, he is not entitled to the privilege of anticipatory bail.

Having heard the learned advocates and considering the materials in the case diary, the gravity of the offence, the post-mortem report, the extent of complicity of the petitioner in the alleged offence and his conduct, we are not inclined to exercise any discretion in his favour. As such, the petitioner's prayer for anticipatory bail is refused.

Accordingly, the application being CRM No.518 of 2021 is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)