

24.05.2021
Court No.28
Item No. 07
Krishnendu
Rejected

**CRM 632 of 2021
(Via video Conference)**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure;

And

In Re : **Md. Samful & Ors.**

Petitioners

Mr. Amitava Karmakar
Mr. Arup Kumar Bhowmick

For the Petitioners

Mr. Saibal Bapuli
Mr. Soumik Ganguli

For the State

Apprehending arrest in connection with Harishchandrapur P.S.

Case No. 85 of 2012 dated 26.02.2012 under sections 364/302/201/34 of the Indian Penal Code, the petitioners have filed the present application.

Mr. Karmakar, learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated. Their names do not feature in the F.I.R. and in the said conspectus, custodial interrogation of the petitioners is not necessary.

Mr. Bapuli, learned advocate appearing for the State opposes the petitioners' prayer for anticipatory bail and submits that the petitioners had been absconding for more than ten years and one co-accused person is already in jail custody.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the gravity of the offence and the fact that the petitioners had been absconding for a substantial period of time, we are not

inclined to exercise any discretion in favour of the petitioners. As such, the prayer for anticipatory bail of the petitioners is refused.

The application for anticipatory bail, being CRM 632 of 2021 is dismissed.

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

(Bibek Chaudhuri, J.)

(Tapabrata Chakraborty, J.)