

24.05.2021
Court No.28
Item No. 11
Krishnendu
Rejected

CRM 930 of 2021
(Via video Conference)

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

And

In Re : **Sk. Masud Rahaman @ Laltu**

Petitioner

Mr. Abhijit Kumar Adhya

For the Petitioner

Mr. Rana Mukherjee

Mr. Suman Saha

For the State

Apprehending arrest in connection with Bagnan P.S. Case No. 69 of 2005 dated 11.04.2005 under sections 341/325/326/307/34 of the Indian Penal Code, 1860 and sections 25(1)(a)/27 of the Arms Act and section 9(b) of E.S. Act, the petitioner has filed the present application.

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. Upon completion of investigation, charge sheet has also been filed and as such custodial interrogation of the petitioner is not necessary.

Mr. Mukherjee, learned advocate appearing for the State, however, submits that the petitioner was granted anticipatory bail earlier on 11.10.2007 but he did not comply with the conditions therein. Since then he had been absconding and in view thereof, he is not entitled to any discretionary relief.

It is not in dispute that the petitioner did not comply with the conditions incorporated in the order dated 11.10.2007 and he had been absconding and such fact is also reflected in the order of the learned Sessions Judge passed on 10.01.2019.

In the said conspectus, we are not inclined to exercise any discretion in favour of the petitioner and the application for anticipatory bail, being CRM 930 of 2021, is, accordingly, 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.)