

CRM No.1254 of 2021

Via video conference

31.05.21

(S.R.)

Sl.16

Ct.28

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Nalhati** Police Station Case **No.257 of 2020** dated **13.12.2020** under Sections **4/5/6** of the Explosive Substance Act;

And

In re: Nasibul Rahaman @ Kajal Sk

... petitioner.

Mr. Bitasak Banerjee

... for the petitioner.

Mr. Sudip Ghosh, Sr. Govt. Adv.

Mr. Apurba Kumar Datta

...for the State.

Mr. Banerjee, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated on the basis of mere suspicion, as would be explicit from the contents of the complaint itself. The allegations levelled against the petitioner are unfounded. In the said conspectus, custodial interrogation of the petitioner is not warranted.

Mr. Ghosh, learned advocate appearing for the State submits that about 4,400 (four thousand four hundred) pieces of neogel emulsion explosive was recovered. Investigation is still in progress and as such, the petitioner's custodial interrogation is very much required in the present case.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the gravity of the offence, the quantum of explosive which has been recovered and the extent of complicity of the petitioner, we are not inclined to exercise any discretion in favour of the petitioner. As such, his prayer for anticipatory bail is refused.

Accordingly, the application for anticipatory bail being CRM No.1254 of 2021 is dismissed.

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

(Shampa Sarkar, J.)

(Tapabrata Chakraborty, J.)