

07.06.2021
tkm/ct 28
sl no. 30

C.R.M. 1310 of 2021

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Balurghat P.S case no. 538 of 2019 dated 28.10.2019 under sections 341/448/323/302/506/34 of the IPC
And

In Re : Gopal Chandra Barman petitioner

Mr. Arijit Ghosh
Mr. S Saha

..... for the petitioner

Mr. Swapan Banerjee
Ms. Purnima Ghosh

..... for the State

The application for anticipatory bail under section 438 Cr.P.C has been filed apprehending arrest in connection with Balurghat P.S Case no. 538 of 2019 dated 28.10.2019 under sections 341/448/323/302/506/34 of the IPC.

It appears from the case diary produced by the State that the charge sheet has been filed on 31.1.2020 naming the petitioner Gopal Barman as absconding.

Counsel for the petitioner submits that the petitioner was never absconding and in fact was never required to participate in the investigation.

This court notes that the contention of the petitioner cannot be accepted since investigation has been going on since October 2019 until January 2020. The petitioner has been named as absconding accused in the charge sheet.

Under such circumstances, this court is not inclined to entertain the application for anticipatory bail.

Accordingly, CRM 1310 of 2021 stands rejected.

(Biswajit Basu, J.)

(Rajasekhar Mantha, J.)