

14.06.2021

CRM 1365 of 2021

Court No. 30
Item No. 9
nandy/seth

(antibail rejected)

In Re: An application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure filed on 02.02.2021 in connection with Kaliachak Police Station Case No. 669 of 2009 dated 11.11.2009 under Sections 147/148/149/436/302/34 of the Indian Penal Code read with Section 25(1)(a)/27 of the Arms Act.

and

In the matter of: **Abdul Sattar @ Abdus Sattar @ Sentu**

..... Petitioner

Mr. Somnath Banerjee, Advocate

.....for the Petitioner

Mr. Saibal Bapuli, Learned A.P.P.

Mr. Soumik Ganguly, Advocate

..... for the State

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioner submits that investigation is complete. Charge-sheet is submitted. He submits that that petitioner is not involved in the alleged crime.

Learned Advocate appearing for the State submits that the petitioner could not be located for a period in excess 12 years. The petitioner is named in the charge-sheet. He refers to the statements recorded under Section 161 of the Code of Criminal Procedure, which named the petitioner.

We have perused the case diary. The name of the petitioner figures in the statements recorded under Section 161 of the Code of Criminal Procedure. The police could not locate the petitioner in excess of 12 years. The charge-sheet, inter alia, under Section 302 of the Indian Penal Code as well as under Sections 25/27 of the Arms Act names the petitioner. The petitioner did not cooperate with the investigation.

In such circumstances, we are unable grant anticipatory bail

to the petitioner.

As such, the prayer for anticipatory bail is **rejected**.

The application being **CRM 1365 of 2021** accordingly **dismissed**.

(Debangsu Basak, J.)

(Aniruddha Roy, J.)