

06.09.2021

Court No.29
Item No.23
(Rejected)

Saswata

**IN THE HIGH COURT AT CALCUTTA
(Via Video Conference)**

CRM 1477 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Purulia Cyber Crime Police Station Case No. 12 of 2020 dated 15.12.2020 under Sections 420/406/506 of the Indian Penal Code;

And

In the matter of : **Kalikinkar Mukherjee**
...Petitioner

Mr. Sourav Chatterjee
Mr. Pawan Kumar Gupta
Mr. Rameshwar Sinha

...For the Petitioner

Mr. Rana Mukherjee, APP
Mr. Santanu Chatterjee

...For the State.

The application is taken up for consideration subsequent to the order dated September 1 2021. A notice under Section 41A of the Code of Criminal Procedure was served upon the petitioner which was received by him. He is yet to comply with the same. Time was granted to the petitioner to comply with the notice under Section 41A of the Code of Criminal Procedure.

Learned advocate appearing for the State submits that the petitioner did not comply with the notice under Section 41A of the Code of Criminal Procedure. In fact, the petitioner went near the police station on a particular day and took a selfie of himself and did not enter into the police station. The petitioner was subsequently issued another notice under Section 41A of the Code of Criminal Procedure.

Learned advocate for the petitioner disputes the submission of the learned advocate appearing for the State. He seeks one more opportunity to comply with the notice under Section 41A of the Code of Criminal Procedure. The petitioner was afforded an opportunity to comply with the notice under Section 41A of the Code of Criminal Procedure on September 1, 2021. He did

not comply with the same.

Considering the facts and circumstances of the case and considering the fact that the notice under Section 41A of the Code of Criminal Procedure issued on January 24, 2021 was not complied by the petitioner in terms of the order dated September 1, 2021, we reject the prayer for anticipatory bail.

Accordingly, the prayer for anticipatory bail is **rejected**.

The application for anticipatory bail being CRM 1477 of 2021 is, thus, **dismissed**.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)