

31.08.2021
43
sdas/AS
rejected

C.R.M. 2028 of 2021
(via video conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Ghatal Police Station Case No. 88 of 2019 dated 01.04.2019 under Sections 392/397 of the Indian Penal Code and Sections 25/27 of the Arms Act.

And

In Re : Muglesur Khan petitioner

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmick
... for the petitioner

Mr. Tapandeb Nandy
Mr. Antarikhya Basu
... for the State

Petitioner seeks anticipatory bail in connection with Ghatal Police Station Case No. 88 of 2019 dated 01.04.2019 under Sections 392/397 of the Indian Penal Code and Sections 25/27 of the Arms Act.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated by two co-accused persons in the criminal case. Items robbed were also recovered. Charge-sheet was submitted.

Learned advocate appearing for the State draws our attention to the First Information Report and the statements recorded under Section 161 of the Code of Criminal Procedure. He submits that, the First Information Report relates to a robbery. One of the accused persons was apprehended from whom the items stolen were recovered. Such person identified

the petitioner as one of the persons involved in the robbery. That apart, there is another accused named in the petition.

Considering the materials in the case diary as against the petitioner, we are unable to grant anticipatory bail to the petitioner.

Accordingly, prayer for anticipatory bail is rejected and the application being CRM 2028 of 2021 is dismissed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)