

31. 01.09.2021
Ct.32
Tanmoy
Rejected

C.R.M. 2217 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **25/02/2021** in connection with **Gazole Police Station Case No. 56 of 2018** dated **05/02/2018** under Sections **411/413/414** of the Indian Penal Code.

And

In the matter of: - **Alam Hoque @ Alam**

....petitioner.

Mr. Tapan Datta Gupta,
Mr. Parvej Anam

...for the petitioner.

Mr. S.S. Imam,
Mr. Arabinda Manna

...for the State.

The petitioner says that he was not named in the F.I.R. His name has been subsequently included in the charge-sheet. He has no connection with the alleged theft of the motorbike in question. A co-accused person has been granted bail by the learned trial Court. He prays for anticipatory bail.

We have seen the material in the Case Diary. The motorbike was recovered from the residence of the petitioner. The petitioner says that such recovery was on the basis of statements made by co-accused persons.

We have assessed the material in the Case Diary. The petitioner has been absconding for a long time. Now that charge-sheet has been submitted, he has come forward with this application.

On an overall assessment of the facts and circumstances of the case and the conduct of the petitioner, we are not inclined to grant the protection of anticipatory bail to the petitioner.

Accordingly, the application for anticipatory bail being C.R.M. 2217 of 2021 is **dismissed**.

All parties shall act in terms of server copy of this order downloaded from the official website of this Court.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)