

24.11.2021
Court No.32
Item No. 163
Avijit Mitra

CRM 2572 of 2021

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure;

And

In Re : Jahiruddin Khan

Petitioners

Mr. Tapan Dutta Gupta,
Mr. Parvej Anam

For the Petitioner

Md. Anwar Hossain,
Ms. Sreyashee Biswas

For the State

Apprehending arrest in connection with Daspur P.S. Case No. 174 of 2018 dated 09.06.2018 under sections 341/323/325/326(A)/307/34 of the Indian Penal Code, the petitioner has filed the present application.

Mr. Dutta Gupta, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. The other co-accused persons have already been enlarged on bail. The allegations levelled are omnibus in nature. Upon completion of investigation, charge sheet has also been submitted and as such custodial interrogation/ detention of the petitioner is not necessary.

Mr. Hossain, learned advocate appearing for the State opposes the petitioner's prayer and submits that the incident occurred on 8th June, 2018 and the petitioner is absconding since then. From the statement of the injured as recorded under Section

161 of the Code it would be explicit that the petitioner is directly involved in the alleged offence.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the gravity of the offence, its ramification, the injury report and the extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise any discretion in his favour. As such, his prayer for bail is refused at this stage.

The application for anticipatory bail, being CRM 2572 of 2021 is, accordingly, dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)