

28.05.2021
Court No.28
Item No. 77
CP

CRM 2726 of 2021
(via video conference)

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

And

In Re : **Sk. Maidul @ Sk. Maidul Islam**

Petitioner

Mr. Suman De

For the Petitioner

Mr. Madhusudan Sur
Mr. D. Paramanick

For the State

Apprehending arrest in connection with Bhabanipur Police Station Case No. 306/2019 dated 30.12.2019 under Sections 394/397/412 of the Indian Penal Code adding Sections 25/27 of the Arms Act, the present application has been preferred.

Mr. De, learned advocate appearing for the petitioner, submits that the petitioner has been falsely implicated. He has not been named in the FIR and other three co-accused persons have already been granted bail. He submits that upon completion of investigation charge-sheet has also been submitted and that in the said conspectus, custodial detention/interrogation of the petitioner is not necessary.

Mr. Sur, learned advocate appearing for the State, opposes the petitioner's prayer and submits that the petitioner is still absconding. The three persons arrested were identified in the T.I. parade.

Having heard the learned advocates and considering the materials in the case diary, the statements of the witnesses, as recorded under Section 161 of the Code and since the petitioner had been absconding for a substantial period of time, we are not inclined to exercise discretion in his favour.

Accordingly, the application for anticipatory bail being CRM No. 2726 of 2021 is dismissed.

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

(Shampa Sarkar, J.)

(Tapabrata Chakraborty, J.)