

01.10.2021
SL No.24
Court No.30
(gc)

CRM 2857 of 2021
(Via video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Kaliachak Police Station Case No.342/2015 dated 3.7.2015 under Sections 341/302/506/34 of the Indian Penal Code and Sections 25/27/35 of the Arms Act

And

In the matter of : **Sadikul @ Hadikul @ Hadikul Sekh**

- Petitioner.

Mr. Shashanka Shekar Saha,
...For the Petitioner.

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee,
... For the State.

Learned Counsel for the petitioner submits that the petitioner is innocent and the principal accused has been granted bail and some of the accused persons similarly placed and situated as that of the present petitioner were granted bail.

Learned Counsel for the State, however, opposes the prayer for anticipatory bail and draws our attention to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure.

Considering the prima facie involvement in the commission of alleged offence as revealed from the statement recorded under Section 164 of the Code of Criminal Procedure and having regard to the fact that the petitioner was fleeing from justice for almost two years, we are not inclined to release the petitioner on anticipatory bail. As such, the prayer for anticipatory bail is rejected.

Accordingly, the application for anticipatory bail, being CRM 2857 of 2021, is dismissed.

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

(Rabindranath Samanta, J.)

(Soumen Sen, J.)