

30.11.2021
Court No.32
Item No. 167
Avijit Mitra

CRM 4298 of 2021

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

And

In Re : Vikash Kumar Shaw

Petitioner

Mr. Surajit Basu

For the Petitioner

Ms. Faria Hossain

For the State

Apprehending arrest in connection with Sainthia P.S. Case No. 172 of 2020 dated 09.11.2020 under sections 4/5/6 of the Explosive Substances Act, the petitioner has filed the present application.

Mr. Basu, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. Placing reliance upon an agreement dated 04th November, 2020, he submits that prior to the alleged incident, the petitioner entered into an agreement with one Md. Akbar Kureshi pertaining to the vehicle in which explosive substances were found. A Coordinate Bench of this Court by an order dated 8th November, 2021, directed the investigating officer to verify the authenticity of the said agreement and to file a report. Pursuant to such direction a report has been filed by the investigating officer. Let the same be kept on record.

Considering the contents of the said report, the nature of allegations, the gravity of the offence and the extent of complicity of the petitioner in the alleged offence, we are not inclined to

exercise any discretion in favour of the petitioner, more so when investigation is still continuing.

Accordingly, the application being CRM 4298 of 2021 is 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.)