

27.09.2021
Item no.12.
Court No.32.
AB
(Rejected)

(Via Video Conference)

CRM No. 4868 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 20.07.2021 in connection with Bidhannagar (North) Police Station Case No.19 of 2021 Dated 3.2.2021 under Sections 420/406 of the Indian Penal Code

And

In the matter of : Sanjoy Kumar Yadav

.....Petitioner.

Mr. Mritunjoy Chatterjee,
Mr. S. N. Islam,
Md. G. N. Imrohifor the Petitioner.

Mr. Sudip Ghosh,
Mr. Bitosok Banerjeefor the State.

The petitioner says that he is the third accused in this case. The prime accused persons are the other two persons who had agreed to supply garlic and other articles to the defacto complainant. They received the money from the defacto complainant, but no delivery of the goods was made to the defacto complainant. The allegation is that the petitioner purchased the same goods in open market from the other two accused persons.

The petitioner says that he purchased the goods bona fide. He was not aware of the agreement between the defacto complainant and the other two accused persons.

We see from the material in the case diary that notice under Section 41A of the Code of Criminal Procedure was issued to the present petitioner. The petitioner has not complied with the notice. In other words, he has refused to cooperate with the investigation.

In view of the aforesaid, we are not inclined to entertain the petitioner's prayer for anticipatory bail.

C.R.M. No.4868 of 2021 is, accordingly, dismissed.

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

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)