

CRM 4976 of 2021
(via video conference)

Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

In the matter of : **Sumit Mondal & Anr.**

..... petitioners

Mr. Prosenjit Mukherjee
Mr. Arghya Kamal Das

.....For the petitioners

Md. Anwar Hossain
Ms. Sreyashee Biswas

.....For the State

Apprehending arrest in connection with Rampurhat Police Station Case No. 49 of 2021 dated 04.02.2021 under Sections 3 and 4 of the Explosive Substances Act, 1908, the present application has been preferred.

Learned lawyer appearing for the petitioner submitted that the present petitioners have been falsely implicated and they have no nexus or connection in transportation of explosive substances. On that score, learned lawyer submitted that the anticipatory bail may be granted to the present petitioners.

Per contra, learned lawyer representing the State submitted that strong incriminating elements are there against the present petitioners for which the previous anticipatory bail was rejected by the learned Sessions Judge, Birbhum. It is also submitted that huge quantities of explosive substances are involved which demands further

investigation and custodial detention of the accused persons. Accordingly, he prayed for rejection of the anticipatory bail.

We have heard rival submissions and perused the case diary.

From the statement of the driver, namely, Jaspal Singh, who was arrested on spot, the name of the present petitioners transpired. Incriminating elements are there against the present petitioners and substantial amount of explosive substance, namely, 24,250 pieces of aluminium electric detonators are involved. Investigation is still pending.

Therefore, at this stage, we are not inclined to allow the anticipatory bail.

The application for anticipatory bail, being CRM 4976 of 2021 stands rejected.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)