

23.12.2021
Item no. 526
Court No.32
Avijit Mitra

C.R.M.5238 of 2021

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

And

In Re : Shib Sankar Santra

.... petitioner

Mr. Koustav Chandra Das

....for the petitioner

Mr. Sudip Ghosh,

Mr. Bitasok Banerjee

..... for the State

Apprehending arrest the present application is filed praying for anticipatory bail in connection with Mallarpur Police Station Case No.48 of 2020 dated March 01, 2020 under Sections 420/406 of the Indian Penal Code.

Mr. Das, learned advocate appearing for the petitioner submits that he was a sub-contractor and he has been falsely implicated. The allegations as levelled are unfounded and in the said conspectus, custodial interrogation is not necessary. He further submits that the petitioner could not comply with the 41A notice due to the pandemic situation.

Mr. Ghosh, learned advocate appearing for the State opposes the petitioner's prayer and submits that there are strong incriminating materials on record against the petitioner.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the nature of allegations and the extent of complicity of

the petitioner, we are not inclined to exercise any discretion in his favour.

Accordingly, the application for anticipatory bail being C.R.M. No.5238 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.)