

16.12.2021
tkm/ct 28
sl no. 81

C.R.M. 6413 of 2021

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Balurghat PS Case no 491 of 2020 dated 19.12.2020 under sections 411/414/188/224 IPC read with sections 21(c)/22(c)/23(c)/25/27A/28/29 of the NDPS Act and sections 11(1)(d)/(e)/(f) of the Prevention of Cruelty of the Animals Act

And

In Re : Prakash Barman petitioner

Mr. A Some

..... for the petitioner

Mr. B Pnda

Ms. P Saha

..... for the State

Petitioner renews his prayer for bail and submits that the co-accused persons have been granted anticipatory bail.

Learned lawyer for the State submits that the petitioner was present at the spot and had pushed the police constable and fled away.

In view of the prima facie involvement of the petitioner in dealing in narcotic substance and the fact that he was present at the spot and had ran away after pushing the police personnel, we are of the opinion that he does not stand on the same footing with the co-accused who have been granted pre-arrest bail and as he has been absconding since rejection of anticipatory bail by this court, we are not inclined to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail is rejected.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)