

17.12.2021
saswata
ct 28
sl no. 58

C.R.M. 7989 of 2021

In Re : An application for bail under section 438 of the Code of Criminal Procedure filed in connection with Baruipur P.S. case no. 1355/2019 dated 23.06.2019 under sections 302/34 of the Indian Penal Code and Sections 25/27 of the Arms Act.

And

In Re Sahid Mondal & Ors.

..... petitioners

Mr. Arnab Saha

..... for the petitioner

Mr. Sudip Ghosh

Mr. Apurba Kr. Dutta

..... for the State

It is submitted on behalf of the petitioners that they are not named in the FIR. They have been falsely implicated in the instant case. Co accuseds are on regular bail.

Learned lawyer for the State opposes the prayer for anticipatory bail and submits complicity of the petitioners have transpired from the statements of witnesses recorded under Section 164 of the Code of Criminal Procedure.

We have considered the materials on record. Statements of witnesses prima facie disclose involvement of the petitioners in the alleged crime. Parameters for grant of anticipatory bail is different from regular bail. Under such circumstances, in view of the gravity of offence, we are of the opinion that this is not a fit case to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail is rejected.

(Joymalya Bagchi, J.)

(Bivas Pattanayak, J.)