

11.01.21
S.R.
Sl.94
Ct.28

CRM No.10700 of 2020

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Balurghat Police Station Case No.491 of 2020 dated 19.12.2020 under Sections 411/414/188/224 of the Indian Penal Code read with 21(C)/22(C)/23(C)/25/27A/28/29 of the Narcotic Drugs and Psychotropic Substances Act and sections 11(1)(d)/(e)/(f) of Prevention of Cruelty of the Animals Act.

And

In re: Prakash Barman ... petitioner.

Mr. Kaushik Chaudhury

Ms. Busra Khatoun ... for the petitioner.

Mr. Sudip ghosh

Mr. Bitasak Banerjee ...for the State.

The learned advocate for the petitioner submits that the petitioner has been falsely implicated in this case and his name only appears in the statement of the co-accused. Additionally, the learned advocate for the petitioner submits that the petitioner is willing to abide by all the conditions imposed by the Court.

Learned advocate for the State opposes the prayer for anticipatory bail of the petitioner and draws the attention to the statement of the BSF personnel.

Perusal of the case diary reflects that the petitioner was initially apprehended but on the plea of nature call, the petitioner fled away. The role of the petitioner so described in the materials available in the case diary is overwhelming and as such, the petitioner cannot be extended the privilege of anticipatory bail.

Thus, prayer for anticipatory bail of the petitioner being CRM No.10700 of 2020 is rejected.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)