

CRM 24 of 2021
(Through Video Conference)

Majibul Pramanik... Petitioner

Vs.

The State of West Bengal ... Respondent

Ms. Jeenia Rudra with
Mr. Debasish Mukhopadhyay, Advocates
...for the Petitioner. Present in virtual mode
and another person is present in Court.

Mr. Nilay Chakraborty with
Mr. Biswarup Roy, Advocates
...for the State. Present in Court.

The present application has been filed for grant of pre-arrest bail of the petitioner in connection with Mekhliganj P.S. Case No.227 of 2015 dated 26.07.2015 registered under Sections 186/332/353/411/413/34 of the Indian Penal Code read with Section 12 of West Bengal Cattle Licensing Act.

Ms. Jeenia Rudra, learned counsel for the petitioner submitted that five of the accused have been granted pre-arrest bail by the learned Sessions Judge, Coochbehar vide order dated 18.12.2020. Hence, the petitioner also deserved the same concession.

The learned counsel for the respondents pointed out that application for pre-arrest bail filed by the petitioner was rejected by the learned Sessions Judge, Coochbehar vide order dated 19.1.2016. Thereafter the petitioner had not taken any steps either to approach this court for grant of pre-arrest bail or surrender before the investigating agency. The petitioner has filed the present application nearly four years after the rejection of pre-arrest bail by the learned Sessions Judge. The allegations against the petitioner are serious. They are indulging in smuggling of cattles to Bangladesh across the

river Teesta. He further pointed out that when they were apprehended, they attacked the police party.

After hearing learned counsel for the parties, in our opinion, when the FIR was registered by the police with the allegation of smuggling of cattles to Bangladesh and also attacking the police party and anticipatory bail application of the petitioner was rejected by the learned Sessions Judge, Coochbehar vide order dated 19.1.2016, no case is made out for grant of pre-arrest bail by this court four years thereafter as the petitioner has been absconding during this period.

The present application is, accordingly, dismissed.

(Rajesh Bindal, J.)

(Saugata Bhattacharyya, J.)