

20.09.2021

Court No.01
rpan / **69**

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

C.R.M. 239 of 2021

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

And

In Re : **Ghanashyam Jaiswal**

- Petitioner.

Mr. Debajit Kundu,
Mr. Subhankar Dutta
... for the petitioner.

Mr. Ujjwal Luksom,
Mr. Tapan Bhattacharjee
... for the State.

Apprehending arrest in connection with Jaigaon Police
Station Case No.199 of 2018 dated 24.09.2018 under Section 407
of the Indian Penal Code, the petitioner has filed the present
application.

Mr. Kundu, learned advocate appearing for the petitioner
submits that that the petitioner has been falsely implicated. His
name has transpired on the basis of the statement of a co-accused
person. The allegations levelled against him are unfounded and in
the said conspectus, custodial interrogation is not warranted.

The learned advocate appearing for the State opposes the
petitioner's prayer and draws our attention to several documents
in the case diary including the seizure list and the statement of
the persons arrested. He further submits that investigation is still
in progress.

Having heard the learned advocates and considering the
nature of allegations and since the investigation is still in progress,

we are not inclined to exercise any discretion in favour of the petitioner. Accordingly, his prayer for anticipatory bail is refused.

The application for anticipatory bail, being CRM No. 239 of 2021 is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Abhijit Gangopadhyay, J.) (Tapabrata Chakraborty, J.)