

CRM(A) No.537 of 2022

Via video conference

03.03.22

(S.R.)

Sl.49

Ct.32

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Budbud** Police Station Case No.80 of 2021 dated 10/08/2021 under Sections 417/419/468/471/120B of the Indian Penal Code (G.R. Case No.1274 of 2021);

And

In re: Pijush Kanti Ghorai

... petitioner.

Mr. Manojit Bhattacharyya

... for the petitioner.

Mr. Rudradipto Nandy

...for the State.

Mr. Bhattacharyya, learned lawyer appearing for the petitioner submitted that the present petitioner was not present at the place of occurrence. Nothing is there to implicate the present petitioner in any manner whatsoever. The co-accused are on bail against whom main allegations are directed. Accordingly, he prayed for anticipatory bail.

Mr. Nandy, learned lawyer appearing for the State vehemently opposed the anticipatory bail on the ground that strong incriminating elements are there against the present petitioner, who is one of the co-accused and has direct complicity in the alleged offence.

We have heard rival submissions. Perused the case diary. It appears from the written complaint that the present petitioner represented himself as an Army Officer and assured the *de facto* complainant to procure a job in Army. Strong incriminating elements are there against the present petitioner in the case diary. Investigation is still going on. Other co-accused are on regular bail. Necessity of custodial detention cannot be ruled out. Therefore, we are not inclined to allow the anticipatory bail to the present petitioner and the same stands rejected.

The application for anticipatory bail being CRM(A) No.537 of

2022 is, accordingly, dismissed.

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

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)