

14 09.02.2022
(AD) Court No.29
(Rejected)

C.R.M. (A) 628 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chanchal** P.S. Case No. **443 of 2018** dated **11/07/2018**, (Corresponding G.R. No.-1365/2018) under Sections **376/417** of the Indian Penal Code.

And

In the matter of: - Najrul Islam

...petitioner.

Mr. Kaustav Bagchi
Ms. Priti Kar

... for the petitioner.

Mr. Tanmay Kumar Ghosh, Ld. Sr. Government Advocate.
Ms. Sonali Bhar

...for the State.

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated. He highlights the factum of the delay in lodgment of the First Information Report. He submits that pursuant to the order passed under Section 156(3), the present police complaint was started. He submits that the police submitted charge sheet and, therefore, detention of the petitioner is not required.

Learned Advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure. He submits that the petitioner was absconding for more than three and half years.

Considering the gravity of the offence and the involvement of the petitioner therein as transpiring from the materials in the case diary and considering the fact that the petitioner was absconding for a period in excess of three years, we are unable to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

C.R.M. (A) 628 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)