

28.03.2022

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Ct. No 29

KAUSHIK
(REJECTED)

C.R.M. (A) 1386 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Murarai** Police Station Case No. **190** of **2021** dated **19.11.2021** under Section 380 of the Indian Penal Code, 1860.

And

In Re : Sanjit Majhi

..... petitioner

Mr. Prosenjit Mukherjee

Ms. Poulomi Dutta

.... for the petitioner

Mr. S.S. Imam

Mr. Sandip Kundu

... for the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated. The petitioner was not named in the First Information Report (FIR).

Learned advocate appearing for the State draws the attention of the Court to the seizure list. He submits that the stolen articles were recovered from the possession of the co-accused, who names the petitioner as his accompanist.

In answer to query of the Court, learned advocate appearing for the State submits that, the police yet to submit charge-sheet.

Considering the fact that the investigations are in progress and considering the fact that the persons from whom the stolen articles were recovered named the petitioner as a co-accused, we are of the view that the requirement of custodial interrogation of the petitioner cannot be ruled out. Consequently, we are unable to grant anticipatory bail to the petitioner.

Accordingly, prayer for anticipatory bail of the petitioner is rejected and the application being CRM (A) 1386 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)