

20.04.2022
Serial no.7
Aloke

CRM (A) 1758 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Matia Police Station Case No. 481 of 2021 dated 01.12.2021 under Sections 188/420/120B of the Indian Penal Code read with Section 7(i)(a) (ii) of the Essential Commodities Act.

-And-

In the matter of : **Matiar Rahman**

... .. Petitioner

Mr. Sandip Chakraborty, Advocate
Mr. Debarshi Brahma, Advocate
Mr. Sagnik Mukherjee, Advocate
Mr. Kaustav Das, Advocate

... .. For the Petitioner

Mr. Swapan Banerjee, Advocate
Ms. Purnima Ghosh, Advocate

... ..For the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated. He submits that there was only one seizure made. Notice under Section 41A of the Code of Criminal Procedure was not issued to the petitioner. The petitioner was falsely implicated.

Learned Advocate appearing for the State draws the attention to the materials in the case diary. He submits that the notice under Section 41A of the Code of Criminal Procedure was sought to be served upon the petitioner. The notice could not be served in view of the petitioner not being present and the property of the petitioner under lock and key.

Learned Advocate appearing for the State submits that two seizures were made and the quantity of jute seized was in excess of 1000 quintals.

Considering the quantity of jute seized from the possession of the petitioner and considering the gravity of the

offence and the involvement of the petitioner therein, we are unable to grant anticipatory bail to the petitioner.

CRM (A) 1758 of 2022 is rejected.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)