

17.05.2022

22

Ct. No. 29

**KAUSHIK  
REJECTED**

**C.R.M.(A) 2182 of 2022**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Pukhuria** Police Station FIR No. **03** of **2021** dated **04.01.2021** under Sections 341/326/307/427/34 of the Indian Penal Code, 1860.

And

In Re : Md. Rafique

..... petitioner

Mr. Abhra Mukherjee

Mr. Sayantan Hazra

Mr. Sauradeep Dutta

....for the petitioner

Mr. Arindam Ghosh

Mr. Pronojit Roy

....for the de-facto complainant

Mr. Joydeep Roy

Ms. sujata Das

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, the petitioner was falsely implicated.

Learned advocate appearing for the State submits that, the victim suffered gun shot injury. He refers to the statement of the injured recorded under Section 164 of the Code of Criminal Procedure (Cr.P.C.). He contends that the petitioner is absconding since January 4, 2021.

Considering the long absconsion of the petitioner and considering the 164 Cr.P.C. statement of the victim implicating the petitioner and considering the gravity of the offence and the involvement of the petitioner therein, we are unable to enlarge the petitioner on anticipatory bail.

Accordingly, prayer for anticipatory bail of the petitioner is rejected and the application being CRM (A) 2182 of 2022 is dismissed.

**(Debangsu Basak, J.)**

**(Bibhas Ranjan De, J.)**