

08.06.2022
tkm/ct 28
sl no.120

C.R.M. (A) 2425 of 2022

In Re : An application under section 438 of the Code of Criminal Procedure in connection with Kaliachak PS case no. 589/2016 dated 6.9.2016 under sections 147/148/149/186/326/307/34 of the IPC and sections 3/4 of the ES Act and 25/27 of the Arms Act
And

In Re : Barun Ghosh petitioner

Ms. Oindrila Ghosh

..... for the petitioner

Mr. P K Datta

Mr. S Deb Roy

..... for the State

It is submitted on behalf of the petitioner that he has been falsely implicated in the instant case. Co-accuseds have been granted pre-arrest bail.

Learned lawyer for the State opposes the prayer for anticipatory bail and submits that the petitioner had absconded for a protracted period of time and similarly circumstanced co-accused Jayanta Ghosh was denied anticipatory bail.

We have considered the materials on record. Petitioner had absconded for a protracted period of time. Prayer for anticipatory bail of similarly circumstanced co-accused Jayanta Ghosh was turned down by a co-ordinate Bench of this court.

In view of the aforesaid facts particularly the abscondence of the petitioner, we are not inclined to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail is rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)