

23.06.2022

Sl. 11

Court No.29

(AD)

(Rejected)

C.R.M. (A) 2945 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Haridevpur** Police Station Case No. **106** dated **26.04.2022** under Section **401(A)** of the Kolkata Municipal Corporation Act.

And

In the matter of: **Sandip Halder**

....petitioner.

Mr. Biswajib Ghosh

Ms. Mamata Dutta

...for the petitioner.

Ms. Sreyashee Biswas

...for the State.

Petitioner prays for anticipatory bail.

Apparently, the petitioner is guilty of unauthorized construction.

It is claimed that the petitioner applied for regularization.

Prima facie, regularization of illegal construction under the provisions of the Kolkata Municipal Corporation Act, 1980 is not permissible.

In such circumstances, the facts depict a need for custodial interrogation. Consequently, 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) 2945 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)