

14.07.2022

Sl. 6
Court No.29
(AD)
(Rejected)

C.R.M. (A) 3315 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection **Pursurah** Police Station Case No.**74 of 2022** dated **19/05/2022** corresponding to G.R. Case No.546 of 2022 under Sections **379/411/412/413/414/120B** of the Indian Penal Code, 1860, read with Section **7(i)(a)(ii)** of the Essential Commodities Act, 1955 now pending before the Court of Learned Additional Chief Judicial Magistrate, Arambagh.

And

In the matter of: **Jagadish Manna**

....petitioner.

Mr. Niladri Sekhar Ghosh
Ms. Srimoyee Mukherjee
Ms. Sompurna Chatterjee
Mr. Sourav Mondal

...for the petitioner.

Mr. Rudradipta Nandy, Ld. APP
Ms. Sonali Das

...for the State.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the petitioner submits that a co-accused was enlarged on bail by the Coordinate Bench on July 5, 2022 passed in CRM (DB) 2106 of 2022. The articles were seized.

Learned Advocate appearing for the State submits that the petitioner was ostensibly carrying on business of puffed rice. From his godown goods of the public distribution system were seized. He refers to the seizure list which is signed by the son of the petitioner as well as the employee of the Food Corporation of India involved in the racket.

There are materials in the case diary implicating the petitioner in the incident. Goods meant for public distribution were seized from the place of business of the petitioner. The seizure was made in the presence of the son of the petitioner. The Coordinate Bench granted bail to Koushik Manna in whose presence the seizure was made. He was granted bail after 47 days in custody. Moreover, incriminating articles were already recovered.

In the facts of the present case, custodial interrogation of the petitioner cannot be ruled out at this stage.

The involvement of the petitioner along with the persons who facilitated the materials of the public distribution system to come to his place of business are required to be investigated into.

In such circumstances, 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) 3315 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)