

02.08.2022
Serial no.40
Aloke

CRM (A) 3683 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Beliabera Police Station Case No. 11 of 2020 dated 05.02.2020 under Sections 341/324/326/307/34 of the Indian Penal Code.

-And-

In the matter of : **Subir Kumar Dey @ Subir Dey**

... .. Petitioner

Mr. Sabir Ahmed, Advocate

Mr. Bhaskar Hutait, Advocate

Mr. Mujibar Ali Naskar, Advocate

... .. For the Petitioner

Mr. Rudradipta Nandy, Id. APP

Ms. Sonali Das, Advocate

Ms. Sreeparna Das, Advocate

... ..For the State

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the police filed charge-sheet and, therefore, custodial interrogation of the petitioner is not required. The principal accused was enlarged on bail by the jurisdictional Court.

Learned Advocate appearing for the State submits that the injuries suffered by the victim are grievous in nature. He refers to the statement recorded under Section 161 of the Code of Criminal Procedure implicating the petitioner.

It appears from the case diary that the charge-sheet was filed on December 7, 2020 in respect of the police case dated February 5, 2020. The petitioner applied for anticipatory bail before the jurisdictional Court which was not pressed on February 18, 2021. There are materials in the case diary implicating the petitioner. The petitioner is named in the first information report. There are eye witnesses implicating the petitioner.

Considering the long absconson of the petitioner and the materials in the case diary and the prima facie involvement of the petitioner therein, we are unable to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner is rejected.

CRM (A) 3683 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)