

06.01.2022
Item no. 339
Court No.32
Avijit Mitra

C.R.M. 7498 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal;

And

In Re : Naim Ansary

.... petitioner

Mr. Arunabha Jana

....for the petitioner

Ms. Sujata Das

..... for the State

Apprehending arrest the instant application is filed in connection with Purulia (M) Police Station Case No.227 of 2021 dated 01.01.2021 under Sections 420/406/120B/506 of the Indian Penal Code.

Mr. Jana, learned lawyer representing the petitioner submitted, that a false allegation is made against the present petitioner and he is no way connected with the present case. Accordingly, the anticipatory bail is prayed for.

Per contra, learned lawyer representing the State Ms. Das submitted, that earlier an anticipatory bail application filed by the present petitioner was rejected by the lower Court. That is suppressed in this application. It is further submitted that investigation is still pending and could not proceed because the present petitioner is absconding. Accordingly, anticipatory bail is strongly opposed by the learned lawyer.

We have perused the case diary and heard rival submissions. On perusal of the case diary, it appears that the petitioner is not available for serving notice under Section 41A and the Investigating Officer's report shows that he was not at house and the house is empty. We find that strong incriminating elements are there in the case diary and allegation is very grave and serious. Considering the extent of incriminating materials, conduct of the petitioner and the seriousness of the offence, we are not inclined to allow the anticipatory bail.

Accordingly, the application for anticipatory bail being C.R.M. No.7498 of 2021 is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)