

06.01.2022
Item no. 340
Court No.32
Avijit Mitra

C.R.M.7502 of 2021

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

And

In Re : Ukil Ghosh @ Pabitra Ghosh

.... petitioner

Mr. Sujoy Sarkar,
Mr. Musharraf Alam Sk.

....for the petitioner

Ms. Anasuya Sinha,
Mr. Pinak Kumar Mitra

..... for the State

Apprehending arrest the present application has been preferred in connection with English Bazar Police Station Case No.821 of 2020 dated 11.09.2020 under Sections 395/397 of the Indian Penal Code read with Sections 25/27/35 of the Arms Act.

Mr. Sarkar, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. No overt act has been attributed to the petitioner. Co-accused persons have already been granted bail by the learned court below. Upon completion of investigation chargesheet has also been submitted and as such, custodial interrogation is not necessary.

Ms. Sinha, learned advocate appearing for the State opposes the petitioner's prayer and submits that there are materials which clearly reveal direct involvement of the

petitioner in the alleged offence. In support of such contention she has drawn our attention to the statement of the witnesses.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the seriousness of the offence, the manner in which the offence was committed and the extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise any discretion in his favour.

Accordingly, the application for anticipatory bail being C.R.M. No.7502 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.)