

12.08.2022
Serial no. 05
[Dd]
(Anticipatory bail)
(**Rejected**)

CRM (A) 3835 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Kanksa** Police Station Case No. **161** of **2022** dated **11.05.2022** under Sections **420/407/120B** of the Indian Penal Code.

-And-

In the matter of : **Ajit Singh & Anr.**

... ..**Petitioners**

Mr. Rajdeep Majumder,
Mr. Pramad Chakraborty,
Ms. Aishwarya Bazaz, Advocates
... .. For the Petitioners

Mr. Ranabir Roy Chowdhury,
Mr. Sandip Chakraborty, Advocates
... ...For the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that the petitioners were falsely implicated. So far as the second petitioner is concerned, he submits, that subsequent to the notice under Section 164 of the Criminal Procedure Code, there is a raid in the house of the second petitioner almost every day.

Learned advocate appearing for the state draws the attention of the Court to the materials in the case diary. He submits that TMT bars were stolen. First petitioner is the person who hired the vehicle involved in the incident. Such petitioner was instrumental in changing the number plate of the vehicle when such vehicle was crossing the toll plaza. He refers to the statement recorded under Section 161 of the Criminal Procedure Code. He submits that, the second petitioner, despite receipt of the notice under Section 160 of

the Criminal Procedure Code and despite replying to the same, through his Advocate stating that he will participate in the investigations after 7 days, did not turn up and participated in the investigations at all.

There are materials in the case diary implicating both the petitioners. TMT bars were stolen. The complicity of both the petitioners therein appears from the materials in the case diary. The materials in the case diary suggest requirement of custodial interrogation of the petitioners.

In such circumstances, we are not inclined to grant anticipatory bail to the petitioners.

Prayer for anticipatory bail of the petitioners is **rejected**.

CRM (A) 3835 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)