

16.08.2022

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Ct. No. 29

**KAUSHIK
REJECTED**

**C.R.M.(A) 3901 of 2022
(through video conference)**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kolaghat** Police Station Case No. **329** of **2022** dated **23.06.2022** under Sections 363/365/34 of the Indian Penal Code.

And

In Re : Mofidul Rahaman

..... petitioner

Mr. Biswajit Tiwary

....for the petitioner

Ms. Zareen N. Khan

Md. Kutubuddin

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary including the statement of the witness recorded under Section 161 of the Code of Criminal Procedure (Cr.P.C.).

The victim is yet to be recovered.

There are materials in the case diary implicating the petitioner.

In such circumstances, requirement of custodial interrogation of the petitioner cannot be overlooked.

Consequently, we are unable to grant anticipatory bail to the petitioner.

Accordingly, prayer for anticipatory bail of the petitioner is rejected and the application being CRM (A) 3901 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)