

04.01.2022

Court No.32
rpan / **266**

CRM 7803 of 2021

[through Video Conferencing]

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

And

In Re.: **Abdul Gaffar Sarkar**

- Petitioner

Mr. Abhra Mukherjee,

Mr. Prasenjit Saha

... for the Petitioner.

Mr. Swapan Banerjee,

Ms. Purnima Ghosh

... for the State.

Apprehending arrest in connection with Pandua Police Station Case No.620 of 2018 dated 22.11.2018 under Sections 406/420/409 of the Indian Penal Code, 1860, the petitioner has filed the present application.

Mr. Mukherjee, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. The allegations are omnibus in nature. Upon completion of investigation charge sheet has been submitted and as such, custodial interrogation is not warranted, more so when, the petitioner is suffering from various ailments.

Mr. Banerjee, learned advocate appearing for the State submits that the petitioner's earlier application for anticipatory bail was rejected by a coordinate Bench of this Court on 4th February, 2019 and he is still absconding and the charge sheet has been submitted showing him as absconder.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary,

the seriousness of the offence and the extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise any discretion, more so when there has been no substantial change in the circumstances subsequent to earlier rejection of the petitioner's prayer for anticipatory bail.

The application for anticipatory bail, being CRM No. 7803 of 2021 is, thus, 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.)