

CRM (A) 4020 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Santipur Police Station Case No. 164 of 2018 dated 24.05.2018 under Sections 302/34 of the Indian Penal Code and Sections 25/27 Arms Act.

-And-

In the matter of : **Subal Sarkar**

... .. Petitioner

Mr. Angshuman Chakraborty, Advocate
Mr. S.S. Saha, Advocate

... .. For the Petitioner

Mr. Madhusudan Sur, Id. APP
Mr. Manoranjan Mahata, Advocate

... ...For the State

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner was not charged in the first two charge-sheets. Thereafter, the petitioner was sought to be proceeded against.

Learned Advocate appearing for the State draws the attention to the order dated March 2, 2021 passed in CRM 10735 of 2020. He submits that the petitioner is similarly circumstanced as that of the other co-accused whose prayer for anticipatory bail was rejected. The same point was considered by the Coordinate Bench. Reliance was placed in the statement recorded under Section 164 of the Code of Criminal Procedure. He draws the attention to such statement.

The Coordinate Bench considered the same contention of the petitioner in the petition being CRM 10735 of 2020. The Coordinate Bench rejected the prayer for anticipatory bail. The petitioner is named in the statement recorded under Section 164 of the Code of Criminal Procedure.

In such circumstances, we are unable to grant anticipatory bail to the petitioner.

The prayer for anticipatory bail of the petitioner is rejected.

CRM (A) 4020 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)