

11.01.2022
tkm/ct 32
sl no. 47

C.R.M. 8185 of 2021
(Via video conference)

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Chakulia PS Case no 147 of 2021 dated 5.6.2021 under section 392 IPC

And

In Re : Nuruddin petitioner

Ms. Sukanya Adhikary

..... for the petitioner

Mr. Avishek Sinha

..... for the State

Apprehending arrest in connection with Chakulia P.S Case no. 147 of 2021 dated 5.6.2021 under section 392 of the IPC, the instant application is filed by the petitioner praying for anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated in the instant case. His name does not feature in the FIR. Ingredients of section 392 of the Code are not attracted against the petitioner. In view thereof, custodial interrogation is not necessary.

Learned advocate appearing for the State opposes the petitioner's prayer and submits that the petitioner is absconding. The arrested persons were identified in the Test Identification Parade. Petitioner and others also have antecedents. In view thereof, the petitioner is not entitled to the relief as prayed for more so when investigation is still continuing.

Having considered the materials in the case diary, the gravity of the offence, the nature of accusations and the extent of

complicity of the petitioner in the alleged offence, we are not inclined to exercise any discretion in favour of the petitioner more so when investigation is not yet complete.

Accordingly, petitioner's prayer for anticipatory bail is refused.

The application being CRM 8185 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.)