

CRM 8471 of 2021
(via video conference)

Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

In the matter of : **Md. Hazrat Ali @ Md. Hajrat Ali**
..... petitioner

Mr. Sujay Sarkar

.....For the petitioner

Ms. Anusua Sinha

Mr. Pinak Kumar Mitra

.....For the State

Apprehending arrest in connection with Kaliachak Police Station Case No. 72/21 dated 19.1.2021 under Sections 489B/489C/120B of the Indian Penal Code, the present application has been preferred.

Mr. Sarkar, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. He was not named in the F.I.R. and his name has transpired on the basis of co-accused statement. Upon completion of investigation, charge sheet has also been submitted. In view thereof, custodial interrogation is not necessary.

Ms. Sinha, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statements of the witnesses as recorded under Section 161 of the Code and the seizure list. She further submits that the petitioner is involved in the racket pertaining to fake currency notes and his custodial interrogation is necessary.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary.

Prima facie, there are incriminating materials on record against the petitioner. Considering the seriousness of the offence and the extent of his complicity, we are not inclined to exercise discretion in his favour and as such his prayer for anticipatory bail is refused.

The application CRM 8471 of 2021 is, accordingly, dismissed.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Ajoy Kumar Mukherjee, J.)

(Tapabrata Chakraborty, J.)