

25.01.2022
Item no. 12
Court No.32
Avijit Mitra

C.R.M. 8727 of 2021 (Through Video Conference)

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

And

In Re : Maidul Molla

.... petitioner

Mr. Ujjal Ray

....for the petitioner

Mr. Madhusudan Sur,

Mr. Manaranjan Mahata

..... for the State

Apprehending arrest in connection with Falta Police Station Case No.125 of 2020 dated 12.08.2020 under Sections 396/412 of the Indian Penal Code and 25(1B)(a)/27 Arms Act, the present application has been preferred.

Mr. Ray, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. No specific overt act has been attributed to him.

He further submits that co-accused persons have also been granted bail. Upon completion of investigation chargesheet has also been submitted and as such, custodial interrogation is not necessary.

Mr. Sur, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statement of the witnesses. He submits that chargesheet has been submitted incorporating Section 302 of the IPC as the victim expired.

He further submits that the petitioner has been absconding for long and proclamation has been issued. Subsequent thereto, the present anticipatory bail has been preferred.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the gravity of the offence, the nature of accusations and the conduct of the petitioner, we are not inclined to exercise any discretion in his favour.

Accordingly, the application for anticipatory bail being C.R.M. No.8727 of 2021 is dismissed.

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

(Kesang Doma Bhutia, J.) (Tapabrata Chakraborty, J.)