

03.11.2022

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Ct. No. 29

**KAUSHIK  
REJECTED**

**C.R.M.(A) 5055 of 2022**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Canning** Police Station Case No. **494** of **2021** dated **21.11.2021** under Sections 302/120B/201/212 of the Indian Penal Code, 1860 and Sections 27/35 of the Arms Act.

And

In Re : Shambhu Mondal

..... petitioner

Mr. Arindam Jana

Mr. Gobinda Chandra Baidya

....for the petitioner

Mr. Madhusudan Sur

Mr. Dipankar Pramanick

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner draws the attention of the Court to the order dated June 29, 2022 passed in CRM (A) 3057 of 2022 and to the order of the revisional Court. He submits that, the petitioner is entitled to approach this Hon'ble Court in view of the stay granted by the revisional Court in respect of the warrant and proclamation of attachment. He submits that, the petitioner was not present at the spot.

Learned advocate appearing for the State refers to the materials in the case diary. He submits that, the police filed charge-sheet.

The police filed charge-sheet, inter alia, under Section 302/120B/201/212 of the Indian Penal Code, 1860 and Section 27/35 of the Arms Act.

There are materials in the case diary implicating the petitioner in the incident.

Considering the gravity of the offence and the involvement of the petitioner therein as transpiring from the materials in the case diary and considering the fact that the police case is of November 21, 2021, we are unable to grant anticipatory bail to the petitioner.

Accordingly, prayer for anticipatory bail of the petitioner is rejected and the application being CRM (A) 5055 of 2022 is dismissed.

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**