

22.11.2022

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Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M.(A) 5342 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Beldanga** Police Station Case No. **535** of **2018** dated **01.12.2018** under Sections 341/323/376/511/34 of the Indian Penal Code, 1860.

And

In Re : Intajul Sk

..... petitioner

Mr. Robiul Islam

Ms. Pramita Banerjee

Ms. Firoja Khatun

....for the petitioners

Mr. Tanmoy Kumar Ghosh

Ms. Pritha Paul

....for the State

Petitioner renews the prayer for anticipatory bail.

Learned advocate appearing for the petitioner submits that, on the previous occasion, the prayer for anticipatory bail was 'dismissed as not pressed' in view of the contention on behalf of the State that charge-sheet was submitted under bailable sections. He submits that, subsequent thereto the petitioner obtained the certified copy of the charge-sheet and found that the charge-sheet contains Sections of the Indian Penal Code, 1860, which are non-bailable.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary and to the fact that, the police case is of December 1, 2018 and that the petitioner is absconding till date.

Learned advocate appearing for the petitioner submits that, the petitioner complied with the notices issued under Section 41A of the Code of Criminal Procedure. He refers to the contents of the charge-sheet.

The police case is of December 1, 2018.

The petitioner did not approach any Court with a prayer for anticipatory bail till August, 2022.

In view of the long absconsion of the petitioner, 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) 5342 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)