

22.12.2022

Sl.28

Court No.29

(AD)

(Rejected)

C.R.M. (A) 5947 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Jorasanko** Police Station Case No.**183 of 2019** dated **09.07.2019** under Sections **406/420/379/120B** of the Indian Penal Code (corresponding to G.R. No.801 of 2019).

And

In the matter of: **Bappaditya Chakraborty**

....petitioner.

Mr. Sachit Talukdar

...for the petitioner.

Mr. Swapan Banerjee

Ms. Purnima Ghosh

... for the State.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated. The disputes are entirely civil in nature. No notice under Section 41A of the Code of Criminal Procedure was issued till 2022.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary.

The police case is of July 9, 2019.

The materials in the case diary does not permit us to return a finding that custodial interrogation of the petitioner is not required.

There is an issue of long absconsion of the petitioner also.

In such circumstances, we are unable to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

C.R.M. (A) 5947 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)