

13.01.2023

Sl.7
Court No.29
(AD)
(Rejected)

C.R.M. (A) 83 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Suisa RPF Post** Case No.**05 of 2022** dated **10.11.2022** under Sections **3(a)** of The Railway Property (Unlawful Possession) Act, 1966 (C.I. Case No.47 of 2022).

And

In the matter of: **Abdul Hamid**

....petitioner.

Mr. Abhra Mukherjee
Mr. Souradeep Dutta
Mr. Arpayan Mukherjee

... for the petitioner.

Mr. Diupankar Dandapath
Mr. Kalidas Saha

...for the UOI.

Petitioner prays for anticipatory bail.

Certain articles were seized from the shop room of the petitioner. There are opinions of experts stating that the seized articles belong to the railways.

It is contended on behalf of the petitioner that the articles seized are available in the market.

Seized articles include pedal goods, joggel fish plate and fish plate of 52 kg.

Apparently, the articles seized appear to be railways property.

At least, the articles seized are used by railways.

In such circumstances, considering the gravity of the offence and the involvement of the petitioner in the incident, 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) 83 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)