

03.02.2023
Serial no. 04
[Dd]
(Anticipatory bail)
(**Rejected**)

CRM (A) 445 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Joypur** Police Station Case No. **223** of **2022** dated **28.12.2022** under Sections **188/379/411/120B** of the Indian Penal Code and Section **7** of Essential Commodities Act, 1955.

-And-

In the matter of : **Sk Rustam Ali**

... ..**Petitioner**

Mr. Malay Bhattacharyya, Advocate
... .. For the Petitioner

Mr. Rudradipta Nandy, Id. APP
Ms. Sonali Das, Advocates
... ...For the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary. He submits that the investigations are in progress. He refers to the statement recorder under Section 161 of the Criminal Procedure Code of eye-witnesses, who claimed that they saw the petitioner being involved in the incident.

There are materials in the case diary implicating the petitioner in the interference of the public distribution system. Complicity of the petitioner in the incident cannot be overlooked at this stage.

Consequently, we are unable to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner is **rejected**.

CRM (A) 445 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)