

05.12.2023

ML. 37
Court No. 29
Suvayan
(Rejected)

C.R.M. (A) 4517 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Baishnabnagar** Police Station Case No. **370 of 2023** dated **06.06.2023** under Sections **489B/489C/120B** IPC.

And

In the matter of: **Nur Mahamad Sk @ Naro**

....petitioner.

Md. Wasim Akram

...for the petitioner.

Mr. Angshuman Chakraborty

...for the State.

1. Heard learned Advocate for both the parties.
2. On behalf of the petitioner it is submitted that considering the fact that the basis of implication of the present accused is the statement of a co-accused and investigation has already been completed in the meantime the instant application for anticipatory bail may be considered and favorably.
3. While opposing the prayer for anticipatory bail learned Advocate for the State contends that 100 numbers of F.I.C.N. of denomination of Rs. 500/- was recovered from the possession of a co-accused, Amit Mandal and immediately prior to such recovery and also before that there was constant telephonic conversation between the said apprehended accused and the present petitioner.
4. Considering the serious nature of the crime and also considering the social impact in respect of the alleged crime and keeping in mind the *prima facie* relationship between the present petitioner and the apprehended accused Amit Mandal, we are not inclined to exercise our discretion in favour of the petitioner under Section 438 Cr.P.C.
5. Accordingly, the prayer for the anticipatory bail is rejected.
6. The application being **CRM (A) 4517 of 2023** is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

