

22.02.2023

Sl.4

Court No.29

(AD)

(Rejected)

C.R.M. (A) 6100 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Harwood Point Coastal** Police Station Case No.**250 of 2022** dated **01.07.2022** under Sections **409/120B** of the Indian Penal Code, 1860.

And

In the matter of: **Habibullah**

....petitioner.

Mr. Anirban Dutta
Mr. Saudull Abedin
Ms. Pooja Singh

...for the petitioner.

Mr. Rudradipta Nandy, Ld. APP
Ms. Sonali Das

...for the State.

Petitioner prays for anticipatory bail.

There are eight police cases as against the petitioner.

Pursuant to an order of the High Court, the jurisdictional Superintendent of Police clubbed all the eight police cases.

Apparently, provisions of West Bengal Protection of Interest of Depositors in Financial Establishment Act, 2013 were invoked in the police cases.

Petitioner contends that on two police cases, the petitioner was enlarged on anticipatory bail. The subsequent intervention of the High Court in the writ jurisdiction changes the complexion of the entirety of the police cases in which the petitioner is involved.

As noted above, eight police cases are against the petitioner. Provisions of the Act of 2013 are also invoked subsequent to the grant of the two orders of the anticipatory bail.

In such circumstances, considering the gravity of the offence and the involvement of the petitioner in the incident, we are unable to extend the facilities of anticipatory bail to the petitioner.

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

C.R.M. (A) 6100 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

