

06.03.2024
DL-4
Court No.29
(AD)
(Rejected)

C.R.M. (A) 772 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **English Bazaar** Police Station Case No. **1827 of 2023** dated **03.11.2023** under Section **395** of the Indian Penal Code, 1860 with adding Sections **412/120B** of the Indian Penal Code. Subsequently charge sheeted under Sections **395/412/120B** of the Indian Penal Code. (G.R. Case No.7567 of 2023).

And

In the matter of: **Md. Mainuddin Sk. @ Mainuddin @ Gujju**
....petitioner.

Mr. Sandipan Ganguly, Ld. Sr. Advocate
Mr. Mrityunjoy Chatterjee

... for the petitioner.

Mr. Anand Keshari

... for the State.

Learned Senior Advocate appearing for the petitioner submits that no recovery was made from the petitioner. Petitioner was falsely implicated. Police filed charge sheet and, therefore, placing the petitioner in custody is not necessary.

Materials in the case diary suggest that the goods involved in the dacoity were sold to the petitioner.

The goods could not be recovered in view of the absconsion of the petitioner.

Considering the materials in the case diary, 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) 772 of 2024 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)