

03.04.2024

Item No.89

AD/SD

Court No.28

(Rejected)

C.R.M. (A) No. 1131 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **R.P.F. Post Panskura**, Station Case No.9 of 2023 dated **08.12.2023** under Section **3(a) RP (UP) Act,-12 and U.R. No.34 of 2023**.

And

In Re : Sk. Basiruddin petitioner

Sk. Nezamuddin

.....for the petitioner

Mr. Prasun Kumar Datta,

Mr. Arkadeb Bhattacharya

....for the State

1. Petitioner submits no railway property was recovered from him. He prays for anticipatory bail.
2. Learned lawyer for the State submits petitioner is a habitual offender. He had been convicted earlier. Recovery was made from his godown. His son was arrested.
3. We have considered the materials on record.
4. Recovery of railway materials was made from the godown of the petitioner. His son was arrested. He has criminal antecedents and had been convicted earlier.
5. Under such circumstances, we are of the opinion this is not a fit case to grant anticipatory bail to the petitioner.
6. The prayer for anticipatory bail of the petitioner is rejected.
7. **C.R.M. (A) No. 1131 of 2024** is dismissed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)