

08.07.2024
Court No.29
Item No. 21

sg

CRM (A) 2203 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with SI 2's S/L No.02/24-25 dated 04.04.2024, Singur Excise Station, as per provisions under Bengal Excise Act, 1909.

And

In Re: **Prithiraj Santra**

Petitioner

Mr. Manoj Adak

For the Petitioner

Ms. Zarin N. Khan

Mr. Debarshi Brahma

For the State

1. We have heard the learned Counsel for the parties.
2. 400 liters of ID liquor is stated to have been seized from the possession of two accused persons, namely, Ariful Haque Kazi and Debasish Roy. On the basis of the statement of the aforesaid cu-accused, the present petitioner is stated to have been implicated.
3. The learned Counsel for the State, in opposing the prayer for anticipatory bail, has referred to an order passed by the coordinate Bench on 18th July, 2023 and submitted that the petitioner is a habitual offender. He has repeated the same offence. It is further submitted that in spite of several notices issued under Section 41A of the Code of Criminal Procedure, the accused did not cooperate with the investigation.
4. Considering the materials available in the case diary and the fact that the accused in spite of several notices did not comply with the notices and earlier

a case is registered against the petitioner for similar offence, we are not inclined to grant anticipatory bail to the petitioner.

5. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.
6. CRM (A) 2203 of 2024 is, thus, dismissed.

(Soumen Sen, J.)

(Uday Kumar, J.)