

25.07.2024

Item No.3

Ct.No.34

rc.

Rejected

C.R.M. (SB) 99 of 2024

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Chakdaha Police Station Case No. 411 of 2024 dated 11.04.2024 under Sections 420/406/506/34 of the Indian Penal Code.

And

In Re : **Apurba Saha**

... Petitioner.

Mr. Mahadeb Sarkar

... for the Petitioner.

Mr. Ranadeb Sengupta

Mr. Tirupati Mukherjee

... For the State.

It is submitted that the petitioner is in custody since June 02, 2024. He has been falsely implicated and has no involvement in the alleged offence.

Learned counsel for the State produces the Case Diary and submits that the petitioner could not be served the notice under Section 41A of the Code of Criminal Procedure since the petitioner and other accused persons were found absconding. The petitioner did not cooperate with the Investigating Officer even when he was in police custody. Investigation is in progress.

Considering the material available in the Case Diary and the nature of the offence and also since it prima facie appears that notice under Section 41A of the Code of Criminal Procedure could not be served upon the petitioner and other accused persons since they were found allegedly absconding I am not inclined to enlarge the petitioner on bail at this stage.

Accordingly, the prayer for bail is rejected at this stage.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)