

07.08.2024
SL No.24
Court No.29
(gc)
(Rejected)

CRM (A) 2447 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure corresponding to Section 482 of the BNSS, 2023 filed in connection with Ghola Police Station Case No.455 of 2019 dated 28.10.2019 under Sections 341/323/307/384/379/427 of the Indian Penal Code and under Sections 25/27 of the Arms Act, 1959.

And

In the matter of : **Ranjit Saha**

- Petitioner.

Mr. Amanul Islam,

Mr. Sourav Mukherjee,

....For the Petitioner.

Mr. Binay Kumar Panda,

Mr. Subhasish Datta

... For the State.

1. We are extremely unhappy with the conduct of the Investigating Officer as we find that the petitioner is absconding for the last six years and it raises a serious doubt the manner in which the Investigating Officer is functioning. There is an allegation of extortion against the present petitioner. The present petitioner is absconding for the last six years. No attempt has been made for proclamation and attachment. The other co-accused were arrested and enlarged on bail, however, no charges have been framed presumably on the ground that one accused is absconding. It benefits the absconding accused and the other accused as well.
2. Under such circumstances, we are not inclined to grant anticipatory bail to the petitioner.
3. Accordingly, the application for anticipatory bail is rejected.

4. We direct the A.C.P. to ensure that this trial proceeds with full assistance and, if required, a competent police officer shall be assigned to this matter.
5. The personal appearance of the A.C.P and the O.C. is dispensed with.
6. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)