

12.09.2024
Court No.29
Item No.37

sg

CRM (A) 3270 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the BNSS, in connection with Berhampore Police Station Case No. 296 of 2024 dated 28.02.2024 under Sections 489B/489C/34 of the Indian Penal Code and Section 25(1AA) of Arms Act.

And

In Re: **Sujit Biswas @ Jharu**

Petitioner

Mr. J.I. Hossain

For the Petitioner

Ms. Mousumi Sarkar

For the State

1. The learned Counsel for the petitioner submits that the petitioner has recently won the Panchayat Samity election. He is the member of the Panchayat Samity. He belongs to a different political party and for that purpose, he has been falsely implicated. It is further submitted that one of the co-accused has been enlarged on bail by a coordinate Bench.
2. The learned Counsel for the State has submitted that the witness has made statement under Section 164 of the Code of Criminal Procedure wherefrom it will be evident that the petitioner along with the two others dealt in arms and also fake currency notes.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner in the commission of alleged offence and having regard to the fact that Bachhu Mondal, co-accused was enlarged on bail as nothing has been recovered from his possession and he was in police custody for almost 100 days, whereas the materials of the case diary prima facie

shows that the involvement of the present petitioner in illegal arms dealing and fake currency note, we are not inclined to grant anticipatory bail to the petitioner.

4. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Soumen Sen, J.)

(Prasenjit Biswas, J.)