

24.09.2024
SL No.36
Court No.29
(gc)
(Rejected)

CRM (A) 3447 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Hili Police Station Case No.44 of 2023 dated 22.02.2023 under Sections 341/323/120(b)/326/327/307 of the Indian Penal Code read with Sections 25/27 of the Arms Act, 1878.

And

In the matter of : **Dipak Mohanta @ Baltu**

- Petitioner.

Mr. Kaushik Chaudhury,
Ms. Busra Khatun

....For the Petitioner.

Mr. Imran Ali,
Ms. Suchismita Dutta

... For the State.

1. The learned Counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated.
2. The learned Counsel for the State submits that the petitioner has supplied the arms to one of the accused persons, namely, Sadikul Hossain and the said gun was used to shot the injured. The injured has suffered gunshot injury on the right leg. It is further submitted that the neighbour of the present petitioner has stated that the petitioner deals in arms and he is engaged in illegal arms trade.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner in the commission of the alleged offence and having regard to the statement of the witness implicating the petitioner in trading illegal arms and ammunitions and that arms have already been seized, we are not inclined to grant anticipatory bail to the petitioner.

4. Accordingly, the application for anticipatory bail is rejected.
5. 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.)