

05.01.2024
07
Ct. No. 29
S.D.

C.R.M.(A) 4480 of 2023

In Re:- In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Farakka** Police Station Case No. **123** of **2023** dated **10.3.2023** under Section 404/417/420/307/506/34 of the Indian Penal code.

And

In Re : Ajimuddin Sk. @ Ajimuddin Shekh & Ors.

..... petitioners

Mr. Kallol Mondal

Mr. Mussharaf Alam Sk

....for the petitioners

Mr. S.S. Imam

Mr. S. Kundu

...for the State

Mr. Tapas Maity

Mr. Dip Jyoti Chakraborty

...for the defacto complainant

The application for anticipatory bail is taken up for consideration subsequent to the order dated October 16, 2023 by the Coordinate Bench.

By such order dated October 16, 2023, the petitioners were enlarged on an interim anticipatory bail.

It is submitted at the bar that, the order granting interim anticipatory bail was passed just prior to the ensuing puja vacation without considering the materials in the case diary.

We considered the materials in the case diary.

A widow gave over three trucks belonging to her late husband, to the petitioners for plying the same on the understanding that a portion of the income would be paid monthly to her. She was not paid any amount.

The three vehicles stand in the name of the husband of the widow.

Widow is living at her paternal home.

The materials in the case diary establish a need for investigation.

Enlarging any of the petitioners on anticipatory bail will be inimical to the investigation.

In such circumstances, we are unable to confirm the interim order dated October 16, 2023 or to grant anticipatory bail to any of the petitioners.

Accordingly, prayer for anticipatory bail of the petitioners is rejected and the application being CRM (A) 4480 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)