

08.01.2024
ML.9
Court No.29
(AD)
(Rejected)

C.R.M. (A) 4560 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Belda** Police Station Case No.**46 of 2022** dated **13.02.2022** under Sections **341/323/325/307/427/34** of the Indian Penal Code, 1860, (G.R. Case No.111 of 2022).

And

In the matter of: **Ashok Sharma @ Ashok Sarma**
....petitioner.

Ms. Sananda Bhattacharyya ... for the petitioner.

Mr. Swapan Banerjee
Ms. Purnima Ghosh
...for the State.

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

By such order, the interim anticipatory bail was granted to the petitioner.

It is submitted at the bar that such order was passed without considering the materials in the case diary and in view of the ensuing puja vacation.

We perused the materials in the case diary.

It appears from the materials in the case diary that the petitioner acting as a repossession agent assaulted the victim.

Apparently, the petitioner took the law to his own hand in trying to recover secured assets of a securitization company.

Such action of the agents of securitization company

should not be countenanced.

Enlarging the petitioner on anticipatory bail will send a wrong signal to the society.

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

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

C.R.M. (A) 4560 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)