

08.11.2024
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rejected

C.R.M.(A) No. 3660 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Manikchak Police Station Case No. 690 of 2024 dated 15.09.2024 under Sections 103/3(5)/61(2) of the BNS read with Sections 25/27 of the Arms Act and Sections 3/4 of the Explosive Substances Act.

In Re : Md. Nasir petitioner

Mr. Sandipan Ganguly, Sr. Adv.
Mr. Arnab Chatterjee
Mr. Samir Kumar Jana
Mr. Dipankar Guha
Ms. Dhanasree Biswas
Ms. Poulami Bose

....for the petitioner

Mr. Madhusudan Sur, learned APP
... for the State

Mr. Srijob Chakraborty
Ms. Sompurna Chatterjee
.... for the de facto complainant

1. Learned Senior Counsel for the petitioner submits he is the anchal prodhan of a political party. He has been falsely implicated in a number of cases owing to his political affiliation. He was not present at the place of occurrence. During pendency of the application, false statements of witnesses were recorded before Magistrate to implicate the petitioner. Accordingly, he prays for anticipatory bail.

2. Learned Counsel for the State and de facto complainant oppose the prayer for anticipatory bail. They submit petitioner has a number of criminal cases against him.

He is the ring leader and on his instruction victim was murdered.

3. We have considered the materials on record. Petitioner has criminal antecedents. He was implicated in a case involving culpable homicide in 2018. Thereafter three cases have also been lodged against him for murder. Prosecution contends statements of witnesses before Magistrate show the petitioner had fired at the victim resulting in his death. In view of the aforesaid incriminating materials on record and gravity of offence, we are not inclined to grant anticipatory bail to the petitioner.

4. Application for anticipatory bail is, thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)