

08.01.2024

Serial no. 142

Anticipatory bail

[Rejected]

2d

CRM (A) 4763 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Hasnabad** Police Station Case No. **597** of **2022** dated **09.12.2022** under Sections **25/27/29** of the Arms Act. (G.R. Case No. 5379 /2022)*

-And-

In the matter of : **Amir Gazi & Ors.**

... ..**Petitioners**

Mr. Kollol Kr. Basu,
Mr. Jannat UL Firdous, Advocates
... ... For the Petitioners

Mr. Ranabir Roy Chowdhury,
Mr. Mainak Gupta, Advocates
... ...For the State

Petition is taken up for consideration subsequent to order dated October 17, 2023.

By such order, interim anticipatory bail was granted by the co-ordinate Bench.

It is submitted at the Bar that the co-ordinate Bench did not consider the materials in the case diary and passed such order in view of the ensuing Puja vacation.

We perused the materials in the case diary. We find that there are criminal antecedents so far as the petitioner no. 1 is concerned with regard to the Arms Act itself. The person who was arrested is the son of the petitioner no. 1 and firearm was recovered from his possession.

Other petitioners are the uncle and the cousin of the arrested co-accused.

Complicity of all the petitioners requires 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 anticipatory bail granted on October 17, 2023 or grant anticipatory bail to the petitioners.

Prayer for anticipatory bail of the petitioners is **rejected**.

CRM (A) 4763 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)