

11.01.2024

Serial no. 22

Anticipatory bail

[Rejected]

2d

CRM (A) 4796 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Domkal** Police Station Case No. **633** of **2023** dated **13.09.2023** under Sections **286/120B** of the Indian Penal Code, 1860 and Sections 3/4/5 E.S. Act (G.R. Case No. 4322 /2023)*

-And-

In the matter of : **Mafikul Islam Biswas @ Mafikul Biswas & Anr.**

... ..**Petitioners**

Mr. Robiul Islam,
Mr. Raju Mondal,
Mr. Mosooq Rahaman, Advocates
... .. For the Petitioners

Mr. Madhusudan Sur, APP
Mr. Arabinda Manna, 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.

Learned advocate appearing for the petitioners submits that the petitioners were falsely implicated. The petitioners are brothers. Petitioner no. 1 stood in the last Gram Panchayat election as a candidate of a rival political party. The recovery was shown from a shop room which was abandoned and closed for the last 50 years.

Learned advocate appearing for the State submits that, a bomb blast took place. Thereafter, crude bombs were recovered from the closed shop room belonging to the petitioners.

Recovery of explosive substance was made from the closed shop room belonging to the petitioners.

Complicity of the petitioners in the bomb blast cannot be overlooked.

In such circumstances, we are unable to confirm the interim order dated October 17, 2023 or grant anticipatory bail to the petitioners.

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

CRM (A) 4796 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)