

19.12.2024
10.
SG
[REJECTED]

C. R. M. (A) 3980 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Ranaghat Police Station Case No. 229 of 2021 dated 27.07.2021 (RC No. 0562022S0002 dated 03.02.2022) under Sections 302/201/120B of the Indian Penal Code with 25/27 of the Arms Act.

And

In Re: **Sujoy Kumar Mondal.**

... .. Petitioner

Mr. Ramasish Mukherjee,
Mr. Amartya Mohan Bhattacharyya,
.....for the petitioner

Mr. Amajit De.
...for the CBI

1. Petitioner contends co-accused have been granted regular bail. He has been falsely implicated. Accordingly, he prays for anticipatory bail.

2. Learned Advocate for the CBI submits petitioner did not cooperate with investigation. He is a proclaimed offender. Accordingly, the application for anticipatory bail is liable to be rejected.

3. We have considered the materials on record. Statement of witnesses show petitioner is a conspirator to the murder. He had absconded and has been declared as a proclaimed offender. Co-accused have been released on bail. It is trite parameter for grant of bail is different from that of pre-arrest bail. Prayer for pre-arrest bail requires assessment not only on the gravity of offence, nature of evidence collected against the petitioner but also his conduct during investigation. Petitioner is a proclaimed offender. There are materials implicating him in the conspiracy.

4. Hence, we are not inclined to grant anticipatory bail to the petitioner.

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

6. It is open to the petitioner to appear before the jurisdictional court and pray for regular bail in accordance with law.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)