

05.02.2024

Serial no. 48
Anticipatory bail
[Rejected]
Dd

CRM (A) 5438 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Chanchal** Police Station Case No. **78** of **2015** dated **26.02.2015** under Sections **18** of the NDPS Act, 1985.*

-And-

In the matter of : **Badal@ Mohammad Badiruddin**
... ..**Petitioner**

Mr. Ashok Halder,
Ms. Reshmi Mukherjee, Advocates
... .. For the Petitioner

Mr. Bibaswan Bhattacharya, Advocate
... ..For the State

Petitioner is present in Court.

Prayer of the petitioner is one of renewal.

His prayer for anticipatory bail was rejected by the co-ordinate Bench on February 18, 2020 passed in CRM 1622 of 2020.

The police case is dated February 26, 2015.

The first paragraph in the application states that this is the first application for anticipatory bail in any Court of law including the High Court.

Such paragraph of the petition is verified by the petitioner himself as true to knowledge.

There is an issue of making false statement by the petitioner knowing the same to be false.

There is an issue of long absconsion of the petitioner in respect of a police case of February 26, 2015.

No material change of circumstance took place subsequent to the earlier order of rejection.

In such circumstances, we are unable to grant anticipatory bail to the petitioner.

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

CRM (A) 5438 of 2023 is dismissed.

State will file proceedings as against the petitioner for making false statement on oath knowing the same to be false.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)