

01.05.2024
Court No.01
Item No. 52

Rejected

sg

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

CRM (A) 383 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Banarhat Police Station Case No. 343 of 2023 dated 21.12.2023 under Sections 420/468/471/34 of Indian Penal Code.

And

In Re: **Sahajuddin @ Sahajauddin.**

Petitioner

Mr. Jaydeep Kanta Bhowmik
Mr. Sayantan Bhowmik
Ms. Jasmine Haque
Ms. Rikta Sarkar

For the Petitioner

Mr. Abhijit Sarkar
Mr. Tapan Bhattacharjee

For the State

1. The learned Counsel for the petitioner submits before this Court that the present accused petitioner is no way involved in the alleged crime. It is further submitted that the principal accused i.e. Sahajahan has already been enlarged on bail in the meantime.
2. The learned Counsel for the State opposes the prayer for anticipatory bail.
3. On perusal of the entire materials of the case diary as placed before this Court, it reveals that it is the FIR case that on the basis of a forged royalty challan, extraction of sand from river bed took place for a considerable length of time by the accused persons. We find prima facie role of the present accused petitioner in the alleged crime. We further feel that the custodial interrogation of the present accused petitioner is very much necessary.
4. In view of such, we are not inclined to grant anticipatory bail to the present petitioner. Accordingly, the prayer for anticipatory bail is rejected.

5. CRM(A) 383 of 2024 is, thus, dismissed.
6. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Soumen Sen, J)

(Partha Sarathi Sen, J)