

05.02.2025
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sdas
Rejected

C.R.M. (A) No. 267 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Haldia Police Station Case No. 108 of 2022 dated 31.08.2022 under Sections 406/407/34 of the Indian Penal Code.

And

In Re : Md. Irshad @ Mama petitioner

Mr. Navanil De
Mr. Subhrajit Dey

.....for the petitioner

Ms. Subhsree Patel
Mr. Shashanka Shekhar Saha

..... for the State

1. Learned Counsel for the petitioner submits he is not named in the FIR. His name has transpired from the statement of the co-accused before police officer which is inadmissible in law. He has been falsely implicated. He prays for anticipatory bail.

2. Learned Counsel for the State opposes the prayer for anticipatory bail and submits petitioner is involved in defalcation of crude oil which was being transported in a vehicle. Crude oil is yet to be recovered. Custodial interrogation of the petitioner is necessary for recovery of crude oil.

3. We have considered the materials on record. A consignment of crude oil was transported in a vehicle which was stolen. Though vehicle has been recovered crude oil is yet

to be recovered. CDRs during the incident show telephonic communications between the petitioner and co-accused, Md. Afjal. The said accused has implicated the petitioner in the crime. Under such circumstances we are of the view custodial interrogation of the petitioner is necessary to recover the stolen oil and to unravel ramifications of the crime. Accordingly, we are not inclined to grant anticipatory bail to him.

4. Accordingly, prayer for anticipatory bail is rejected.

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)