

**29.01.2025**

Serial no. **3**  
Anticipatory bail  
[Rejected]  
Dd

**CRM (A) 301 of 2025**

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Ratua** Police Station Case No. **402** of **2023** dated **12.07.2023** under Sections **448/325/326/307/354/34** of the Indian Penal Code, 1860 adding Section **302** of the IPC.*

-And-

In the matter of : **MD. SAIFUDDIN @ SENTU**  
... ..**Petitioner**

Mr. Robiul Islam,  
Mr. Raju Mondal,  
Mr. Masud Hossain, Advocates  
... .. For the Petitioner  
Mr. Saibal Bapuli,  
Mr. Sujan Chatterjee, Advocates  
... ..For the State

1. This is the second application at the behest of the petitioner for grant of anticipatory bail.
2. Learned advocate appearing for the petitioner submits that the initial application of the petitioner being CRM(A) 4908 of 2023 was dismissed as not pressed on January 11, 2024. Subsequent thereto, other co-accuseds were granted anticipatory bail by the co-ordinate Bench on October 16, 2023 passed in CRM(A) 4168 of 2023, December 13, 2023 in CRM(A) 4915 of 2023 and August 2, 2024 passed in CRM(A) 2619 of 2024. He submits that, the petitioner is not named in any statements recorded under Section 164 of the Criminal Procedure Code. He also draws the attention of the Court to the contents in the charge sheet.
3. Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary. In particular, he draws the attention of the Court to the two statements under Section 164 of the Criminal Procedure Code and submits that, the petitioner is named by eye-

witnesses to the incident of murder as participants in such incident.

4. We perused the case diary as also the materials placed on record in the present application.
5. The first application of the petitioner along with other persons in CRM(A) 4908 of 2023 for anticipatory bail was dismissed as not pressed. Subsequent thereto, co-accuseds were enlarged on anticipatory bail by the co-ordinate Bench on October 16, 2023 passed in CRM (A) 4168 of 2023, December 13, 2023 in CRM(A) 4915 of 2023 and August 2, 2024 passed in CRM(A) 2619 of 2024.
6. There is also an order of rejection dated January 10, 2024 passed in CRM(A) 4913 of 2023 passed by us in respect of some of the accuseds. We proceeded on the basis of the statements recorded under Section 164 of the Criminal Procedure Code implicating such accused persons.
7. In the present case, two statements recorded under Section 164 of the Criminal Procedure Code, by eye-witnesses to the incident of murder, places the petitioner at the place of occurrence and attributes active role to the petitioner before of such incident.
8. Notwithstanding the charge sheet submitted, there are ample materials in the case diary to frame charges as against the petitioner for murder as an active participant.
9. Considering such materials, the gravity of the offence and the involvement of the petitioner transpiring therefrom, we are unable to grant anticipatory bail to the petitioner.
10. Prayer for anticipatory bail of the petitioner is **rejected**.
11. **CRM (A) 301 of 2025 is dismissed.**

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**