

04.07.2025
Sl. No.49
Ct. 28
NB

C.R.M. (A) 1944 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Domkal PS Case No.329/2020 dated 04.07.2020 under Section 448/325/326/307/34 adding Section 302 IPC.

And

In the matter of : Saheb Ali ... petitioner

Mr. Partha Sarathi Mondal,
Mr. Kingshuk Mondal.
...for the petitioner.

Mr. Joydeep Roy,
Mr. Subham Bhakat.
...for the State.

Learned counsel appearing on behalf of the petitioner submits that the present petitioner is not the principal accused. Some of the other accused are in custody.

Learned counsel appearing on behalf of the State strongly opposes the prayer for anticipatory bail and submits as follows. The petitioner has been absconding since 2020. However, trial is going on against the three persons who were apprehended. The matter is at the stage of argument. A proclamation has been issued against the present petitioner. On merits, the petitioner has been named by several witnesses including injured eyewitnesses.

Considering the incriminating materials available in the case diary against the petitioner and the fact that proclamation has been issued, I do not consider this to be a fit case for granting anticipatory bail to the petitioner.

The application for anticipatory bail being **C.R.M. (A) 1944 of 2025** is, thus, rejected.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)