

02.09.2025
Sl. No.45
NB

CRM (A) 2808 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 Matia P.S. Case No.92/2018 dated 19.01.2018 under Sections 302/379/411/34 of the Indian Penal Code.

And

In the matter of: Adul Gaffar Sardar @ Chandu

... petitioner

Mr. Kallol Kumar Basu,
Md. Jannat ul Firdous,
Mr. Rajsekhar Hota.
...for the petitioner.

Mr. Kaushik Kundu,
Mr. Mainak Gupta.
...for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is in no way connected with the alleged offence. A helper of a truck was murdered. The driver was not booked. Others were proceeded against.

Learned counsel appearing on behalf of the State strongly opposes the prayer for anticipatory bail. He relies on the case diary and submits as follows. Taking advantage of the absence of the driver, the accused murdered the victim and took away the goods that were there in the truck. Later on, some of such goods were sold by the co-accused. The co-accused was arrested and granted bail. But, thereafter, he was also absconded. Charge sheet was submitted in 2018. Warrant was issued before that against the present petitioner. On 30.04.2018, a proclamation was issued against the petitioner.

Considering the incriminating materials available in the case diary and the fact that a proclamation was issued against the petitioner as far back as in 2018, I do not consider this to be a fit case for granting anticipatory bail to the petitioner.

The application for anticipatory bail being **CRM (A) 2808 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.)