

24.09.2025
Court No.28
Item No.24
ssi

CRM (A) 2901 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with West Port Police Station Case No. **120 of 2020** dated **20.11.2020** under Sections 399/402 of the Indian Penal Code read with Section 25 (1B) (a) of Arms Act.

And

In the matter of: **Maruf Ilahi @ Maruf**

....Applicant/Petitioner

Mr. Abhimanyu Banerjee

Mr. Arnab Saha

...for the petitioner

Mr. Koushik Kundu

Ms. Ayana Dey

..for the State

Learned counsel appearing on behalf of the petitioner submits that other than the statement of co-accused, there is no other incriminating materials available against the present petitioner.

Learned counsel appearing on behalf of the State relies on the report, which is taken on record and on the case diary and opposes the prayer for anticipatory bail. From the account of the raiding party members, it would be evident that the petitioner was one of the five miscreants who had gathered for committing dacoity. When the raid was conducted, the petitioner and another person fled away while three others could be apprehended. Apart from that, there is a criminal antecedent of the petitioner. Had the petitioner not fled away from the place of occurrence, he could have been arrested. In fact, the raiding party members can still identify the petitioner, if he is arrested.

Considering the incriminating materials available in the case diary including the account given by the raiding party member and

the fact that there is a criminal antecedent against the present petitioner, I do not consider this is to be a fit case for granting anticipatory bail.

Accordingly, the application for anticipatory bail of the petitioner is rejected.

(Jay Sengupta, J.)