

24.02.2025
Ct. No. 26
Item No.140
SB

C.R.M. (DB) No. 3602 of 2024

In Re: - An application for bail under Section 439 of Code of Criminal Procedure / 483 of the B.N.S.S. 2023 in connection with Md. Bazar P.S. Case No. 206/2017 dated 20.9.2017, under Section 147 /148 /149/ 448/ 323/ 325/326/379/307/506/427 of the IPC.

In the matter of : Meherul Sk. @ Meherul Sikh & Anr.

Mr. Sudipta Maitra, Sr. Adv.

Mr. Sujoy Sarkar

....for the Petitioners

Mr. Rana Mukherjee

Mr. Prakash Mishra

....for the State

Mr. Ayan Bhattacharyya

Mr. Sirsendu Sinha Roy

Mr. Bitasok Banerjee

Mr. Abdus Salam

.... For the de facto complainant

1. Conduct of the petitioners before us seeking bail is untrustworthy.
2. Police case is of 2017. Prayer for anticipatory bail of the petitioners was rejected by the High Court in 2018 and 2020. Suppressing these orders of rejection, the petitioners approached to the jurisdictional Court and obtained an order of anticipatory bail.
3. On an application for cancellation of such prayer for anticipatory bail and the consequent bail granted in terms therewith, the High Court in CRM 1351 of 2021 cancelled the anticipatory bail granted by the jurisdictional Court as also the consequential bail to the petitioners on December 23, 2021. A Special Leave Petition was filed directed against the cancellation order dated December 23, 2021 which was dismissed on March 7, 2022.
4. Petitioners were subsequently arrested and produced before the jurisdictional Court on September 7, 2024.

5. Petitioners were absconding all these time between the date of registration of the F.I.R. till their arrest for a period of about seven years which includes the period from the date of rejection of this Special Leave Petition on March 7, 2022 till their arrest on September 7, 2024, being a period in excess of two years.
6. Possibility of absconsion of petitioners, if enlarged on bail given their past conduct looms large.
7. In such circumstances, we are not inclined to grant bail to the petitioner.
8. C.R.M (DB) 3602 of 2024, is accordingly rejected.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)