

05.01.2026
Sl. No.62
NB

CRM (A) 4208 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 Haripal PS Case No.105/17 dated 07.05.2017 under Sections 399/402 of the Indian Penal Code and 25/27 Arms Act.

And

In the matter of: Aizizul Mallick & Ors. ... petitioners

Mr. Dipankar Mandal,
Mr. Mizanur Rahaman.
...for the petitioners.

Ms. Faria Hossain,
Mr. Kaustav Banerjee.
...for the State.

Learned counsel appearing on behalf of the petitioners submits that the principal accused has already been arrested. The petitioners have been falsely implicated in this case.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He refers to the statements of witnesses and other materials present in the case diary. He submits that charge sheet was submitted in 2018 itself. Warrants are pending against the present petitioners.

It appears that the FIR was lodged in December, 2017. Charge sheet has been submitted against the petitioners in the year, 2018. Warrants are pending. The petitioners' application before the learned Sessions Court was rejected in the year, 2023. Yet, they have approached this Court after such inordinate delay and after they remained absconding for a considerable period of time.

Considering the above and the incriminating materials available in the case diary, I do not consider this to be a fit case for granting anticipatory bail.

The application for anticipatory bail 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.)