

51 27.03.2019
Aloke Court 28

C.R.M. 3306 of 2019

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 18.03.2019 in connection with Dinhata P.S. Case No.322 of 2018 dated 14.08.2018 under Sections 341/326/307/120B of the Indian Penal Code read with Section 25(1-A)/27/35 of the Arms Act.

And

In the matter of: Nisith Pramanik

...Petitioner

Mr. Debasish Roy
Mr. Sudip Guha
Mr. Anindya Ghosh

... for the petitioner

Mr. Saibal Bapuli, Id. A.P.P.
Mr. Bibaswan Bhattacharya

... for the State

Rejected

Petitioner renews his prayer for anticipatory bail on the premise that co-accused Narayan Sharma was granted anticipatory bail after the rejection of prayer for anticipatory bail of the petitioner.

Learned counsel for the State opposes the prayer for anticipatory bail and submits Narayan Sharma does not stand on the same footing as the present petitioner.

We have considered the materials on record including the order of rejection of pre-arrest bail of the petitioner. There are materials connecting the petitioner with the alleged crime and he has criminal antecedents. Under such circumstances, his prayer for bail was turned down by this Court.

We are not impressed by the submission made on behalf of the petitioner that co-accused Narayan Sharma stands on the same footing with him. Keeping in view the prima facie involvement of the petitioner in the alleged crime and as he has criminal antecedents, we are of the opinion that there is no substantial change in circumstance to review of the earlier order rejecting pre-arrest bail of the petitioner. Accordingly, we are not inclined to grant anticipatory bail to him.

The application for anticipatory bail is, accordingly, rejected.

Urgent Photostat Certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal

formalities.

(Manojit Mandal, J.)

(Joymalya Bagchi, J.)