

24.05.2021  
Item no.33  
Court No.28  
Avijit Mitra

C.R.M. 1086 of 2021 (through video conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure;

And

**In Re : Mohammad Rowshan Alam Mazahiri**  
.... Petitioner

Mr. Saswatagopal Mukherjee, Ld. P.P.  
Ms. Faria Hossain

..... for the State

Apprehending arrest in connection with Chanchal Police Station Case No.988 of 2019 dated 18.11.2019 under Sections 341/324/325/307/34 of the Indian Penal Code the present application has been preferred.

Learned advocate appearing for the petitioner is found absent on virtual mode though the learned advocate appearing for the State is present.

It appears from the submissions made by the learned Public Prosecutor-in-charge that warrant of proclamation and attachment has been executed. Moreover this is a case under Section 4 of the Protection of Children from Sexual Offences Act read with Sections 376/506/120B of the Indian Penal Code.

In view of the fact that proclamation and attachment had already been executed and the accused/petitioner was not traceable and the nature of offence do not inspire us to exercise our discretion under Section 438 of the Code of Criminal Procedure.

Accordingly, the application for anticipatory bail being CRM No.1086 of 2021, is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

**(Bibek Chaudhuri, J.)**

**(Tapabrata Chakraborty, J.)**