

09.06.2021
Court No.28
SL No.54
PJ/KC

CRM 2860 of 2021
(Through Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bagnan P.S. Case No.65/2019 dated 18.2.2019 under Sections 420/506/323/354B/376/379/406/34 of the Indian Penal Code;**

And

In the matter of: **Sk Asis Ali @ Sk Ashik Ali,**

....Petitioner.

Mr. Shibaji Kumar Das,
Mr. Fasiur Rahaman,

... for the Petitioner.

Mr. Swapan Banerjee,
Mr. Suman De,

...for the State.

This application for anticipatory bail has been filed apprehending arrest in connection with Bagnan P.S. Case No.65/2019 dated 18.2.2019 under Sections 420/506/323/354B/376/379/406/34 of the Indian Penal Code corresponding to G.R. Case No. 328 of 2019.

Learned counsel for the petitioner submits that this is the second application for anticipatory bail after the earlier application was rejected. He submits that there are changed circumstances. The two other accused, namely, Sanat Routh and Saikat Routh have been granted bail. Even in the FIR his client is not being named in respect of the charge under Section 376/354B of the Indian Penal Code.

It was further submitted that the petitioner co-operated with the investigating officer and the trial is underway.

Learned counsel for the State submits that the petitioner has been absconding all through out. It is for this reason that the trial is taking place after segregating the petitioner. The issue as regards to the bail

granted to Sanat Routh and Saikat Routh was already existing when the earlier anticipatory bail application was rejected.

Considering the above and conduct of the petitioner, this Court is not inclined to grant relief to the petitioner under Section 438 of the Cr.P.C.

CRM 2860 of 2021 is accordingly dismissed.

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Biswajit Basu, J.)

(Rajasekhar Mantha, J.)