

27.01.2022
Serial no. 40
Dd

(Through Video Conference)

CRM (A) 294 of 2022

In re : An Application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure in connection with **Beldanga** Police Station Case No. **186** of **2018** dated **14.05.2018** under Sections **147/148/149/302** of the Indian Penal Code and Sections **25/27** Arms Act.

-And-

In the matter of : **Milon Sk @ Sukurulla Sk****Petitioner**

Mr. Rabiul Islam,
Mr. Samiul Akhtar Munshi, Advocates
... .. For the Petitioner

Mr. Saibal Bapuli, Id. APP
Ms. Sajanti Sasntra, Advocates
... ...For the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner claims parity with two other co-accused granted anticipatory bail in CRM 7689 of 2020 and CRM 1243 of 2021.

Learned advocate appearing for the State submits that the petitioner cannot claim parity with two other co-accused. He relies upon an order dated December 4, 2020 passed in CRM 8536 of 2020 where another co-accused was not granted anticipatory bail, in view of the fact that such co-accused was named in the First Information Report. The present petitioner is named in the First Information Report.

In the facts of the present case, it appears that persons who were not named in the First Information Report were granted anticipatory bail in CRM 7689 of 2020

and CRM 1243 of 2021. Another co-accused named Akbar Ali was named in the First Information Report and was not granted anticipatory bail in CRM 8536 of 2020. The petitioner is named in the First Information Report. The petitioner cannot claim parity with the other co-accused who were granted anticipatory bail in CRM 7689 of 2020 and CRM 1243 of 2021. Rather the case of the petitioner falls within CRM 8536 of 2020 where anticipatory bail was denied.

Consequently, we are not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail is **rejected**.

CRM (A) 294 of 2022 is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)