

CRM (A) 1077 of 2022

In re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 01.03.2022 in connection with Uluberia Police Station Case No. 148 of 2015 dated 27.02.2015 under Sections 498A/326/307/34 of the Indian Penal Code and added Section 302 of the Indian Penal Code.

-And-

In the matter of : **Samina Khatun @ Sabina Khatoon**
... ..**Petitioner**

Mr. Dipankar Aditya, Advocate

... .. For the Petitioner

Mr. Saswata Gopal Mukherjee, Id. PP

Ms. Faria Hossain, Advocate

Mr. Anand Keshari, Advocate

... .. For the State

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the State submits that warrant of proclamation of arrest was issued against the petitioner. The petitioner is absconding. The trial cannot commence due to the petitioner.

Learned Advocate appearing for the petitioner prays for not pressing the application.

We are unable to accept the prayer made on behalf of the petitioner of not pressing the application given the facts of the present case. The petitioner is absconding for more than seven years. The detention of the petitioner is essential in order to ensure an early commencement of the trial. The warrant of proclamation of arrest was issued by the jurisdictional Court in the year 2019.

In such circumstances, since warrant of proclamation of arrest was issued by the jurisdictional Court in 2019, we find that this application to be not maintainable.

CRM (A) 1077 of 2022 is rejected

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)