

21.03.2022
Sl. 28
Court No.29
sourav
(Rejected)

C.R.M. (A) 1306 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **15.03.2022** in connection with **Shyampur** P. S. Case No. **10** of **2021** dated **06.01.2021** under Sections **376/302/120B** of the Indian Penal Code subsequently charge sheeted under Sections **376/392/120B** of the Indian Penal Code.

And

In the matter of: **Sakir Ansari Khan**

....petitioner.

Mr. Md. Sarwar Jahan

Mr. Maidul Islam Kayal

...for the petitioner.

Mr. Madhusudan Sur

Mr. Manoranjan Mahata

...for the State.

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that although the police filed charge-sheet against the petitioner, the petitioner cannot be involved in any of the charges. He refers to the order dated February 2, 2022 passed in CRM (DB) 163 of 2022 where, according to him, the Court notes that the Post Mortem Report suggests an external injury of one continuous ligature mark on the neck of the victim. He submits that the principal accused was granted bail by this Hon'ble Court.

Learned advocate appearing for the State submits that the petitioner is absconding all these time. He refers to the order dated February 2, 2022. He submits that the person was granted bail because such person was in custody in excess of one year seven months and that the Court also took into consideration the filing of the charge-sheet and the ongoing pandemic.

Considering the long period of absconsion of the petitioner and considering the gravity of the offence and the involvement of the petitioner therein, we are unable to grant anticipatory bail to the

petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

C.R.M. (A) 1306 of 2022 is, thus, dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

