

11.04.2022
Serial no. 13
[Dd]
(Anticipatory bail
Rejected)

CRM (A) 1643 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Kandi** Police Station Case No. **115** of **2022** dated **04.03.2022** under Sections **448/325/326/307/354B/506/427/34** of the Indian Penal Code read with Section **12** of the Protection of Children from Sexual Offence Act.

-And-

In the matter of : **Hachhen Sekh & Anr.**

... ..**Petitioners**

Ms. Minoti Gomes,
Md. Hafiz Ali, Advocates

... .. For the Petitioners

Mr. Binay Panda,
Mr. Subham Bhakat, Advocates

... ...For the State

Petitioners seeks anticipatory bail on the ground of parity with other co-accuseds.

Learned advocate appearing for the State submits that the petitioners cannot claim parity in view of the statement of the victim recorded under Section 164 of the Criminal Procedure Code where the victim names both the petitioners. The other co-accuseds granted anticipatory bail were not named by the victim.

Considering the gravity of the offence and the involvement of the petitioners therein and the statement of the victim recorded under Section 164 of the Criminal Procedure Code and the involvement of the petitioners transpiring therefrom, we are of the view that the petitioners cannot claim parity with that of the other co-accuseds who were enlarged on anticipatory bail.

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

Prayer for anticipatory bail of the petitioners is **rejected**.

CRM (A) 1643 of 2022 is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)