

01.12.2022
Sl.74
Ct. No.1
(ss)

CALCUTTA HIGH COURT
In the Circuit Bench at Jalpaiguri

CRM (A) 585 of 2022

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Mekhliganj** Police Station Case No.12 of 2020 dated 18.01.2022 under Section 417/376 of the Indian Penal Code;

And

In re: Mostafa Hossain

... petitioner.

Mr. Arijit Ghosh
Mrs. Swarnali Ghosh (Sengupta)

... for the petitioner.

Mr. Abhijit Sarkar
Mr. Sagnik Sankar Sikdar

...for the State.

Heard the learned counsel for the petitioner as well as the learned Public Prosecutor.

Perused the case diary in particular the statement of the victim under recorded under Section 164 of the Cr.P.C. There are strong incriminating materials against the present petitioner. As per statement recorded under Section 164 of the Cr.P.C. the coordinate Bench had earlier rejected the anticipatory bail of the petitioner. Since then there is no change of circumstances. Investigation is still pending. The accused person is absconding as it appears from the case diary and noting made by the Investigating Officer.

In light of the above facts, we are not inclined to exercise discretion in his favour. As such, his prayer for anticipatory bail is refused.

The application for bail being CRM(A) 585 of 2022, is accordingly, dismissed.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Sugato Majumdar, J.)

(Shekhar B. Saraf, J.)