

11.01.2023

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Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M.(A) 94 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Suri** Police Station Case No. **515** of **2019** dated **01.10.2019** under Sections 147/148/149/325/326/308/427 of the Indian Penal Code, 1860.

And

In Re : Hasirul Islam @ Hasirul Sk.

..... petitioner

Mr. Sujoy Sarkar

....for the petitioner

Mr. Swapan Banerjee

Mr. Anindya sundar Chatterjee

....for the State

Petitioner claims parity with another co-accused, who was enlarged on anticipatory bail by the order dated May 24, 2021 passed in CRM 1693 of 2021.

Learned advocate appearing for the State opposes such prayer. He submits that, the petitioner cannot claim parity on the ground of long absconsion.

There is substance in the contention of the State. The police case is of October 1, 2019 and the co-accused was granted anticipatory bail on May 24, 2021. The petitioner is approaching the Court in 2023.

In view of the long absconsion of the petitioner, we are unable to grant anticipatory bail to the petitioner.

Accordingly, prayer for anticipatory bail of the petitioner is rejected and the application being CRM (A) 94 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)