

31.01.2024
DL-5
Court No.29
(AD)
(Rejected)

C.R.M. (A) 279 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bhagwangola** Police Station Case No.**373 of 2022** dated **25.05.2022** under Sections **399/402** of the Indian Penal Code, 1860. (G.R. Case No.1608 of 2022).

And

In the matter of: **Sahin Sk. @ Sain Khan**

....petitioner.

Mr. Jisan Iqbal Hossain

... for the petitioner.

Mr. Debasish Roy, Ld. PP
Mr. Shibaji Kumar Das

...for the State.

Petitioner prays for anticipatory bail on the ground of parity with another co-accused who was granted such facility by the order dated November 11, 2022 passed in CRM (A) 5151 of 2022.

The police case is dated May 25, 2022. The police filed charge sheet in such police case. Petitioner approached the jurisdictional Court with a prayer for anticipatory bail which was rejected in June 2022. Petitioner was, therefore, aware of the present proceedings. Petitioner chose not to approach the High Court at the relevant point of time.

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

We do not find the petitioner to be similarly situated and circumscribed as that of the other co-accused.

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

C.R.M. (A) 279 of 2024 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)