

08.01.2024
ML120
Court No.29
(AD)
(Rejected)

C.R.M. (A) 4722 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Jagacha** Police Station Case No.**82 of 2022** dated **29.01.2022** under Sections **448/323/325/307/427/120B/34** of the Indian Penal Code, 1860 read with Sections **25/27** of the Arms Act. (G.R. Case No.668 of 2022).

And

In the matter of: **Safiulla Dorji @ Md. Sofiulla Dorji**
....petitioner.

Mr. Ranabir Roy Chowdhury
Mr. Mainak Gupta

...for the State.

The application for anticipatory bail is taken up for consideration subsequent to the order dated October 17, 2023 passed by the Coordinate Bench.

By such order, the interim anticipatory bail was granted to the petitioner.

It is submitted at the bar that such order was passed without considering the materials in the case diary and in view of the ensuing puja vacation.

We perused the materials in the case diary.

None appears for the petitioner.

We find that, similarly situated co-accused were denied anticipatory bail by order dated March 31, 2022 passed in CRM (A) 1496 of 2022 and on May 10, 2022 passed in CRM (A) 2097 of 2022.

Considering the materials in the case diary and considering the fact that the petitioners before us stands on the

same footing as that of other co-accused whose prayer for anticipatory bail was denied, we are unable to confirm the interim order dated October 17, 2023 or grant anticipatory bail to the petitioner.

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

C.R.M. (A) 4722 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)