

11.01.2024

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Ct. No. 29

S.D.

REJECTED

C.R.M.(A) 4863 of 2023

In Re:- In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Uttarpara** Police Station Case No. **378 of 2019** dated **22.07.2019** under Section **420/406/34** of the Indian Penal Code.

And

In Re : Sri Parichay Das @ Parichay Kumar Das
..... petitioner

Ms. Kakali Chatterjee
...for the petitioner
Mr. Abhra Mukherjee
Ms. Manisha Sharma
...for the State

The application for anticipatory bail is taken up for consideration subsequent to the order dated October 18, 2023 by the Coordinate Bench.

By such order dated October 18, 2023, the petitioner was enlarged on an interim anticipatory bail.

It is submitted at the bar that, the order granting interim anticipatory bail was passed just prior to the ensuing puja vacation without considering the materials in the case diary.

We perused the materials in the case diary.

Learned advocate appearing for the petitioner submits that the petitioner stands on a better footing than the co-accused who was granted anticipatory bail by an order dated November 17, 2021 passed in C.R.M. (A) 3721 of 2023.

The police case is dated July 22, 2019.

There is an issue of long absconsion of the petitioner. The other co-accused approached the Court and obtained anticipatory bail.

In such circumstances, the present petitioner cannot be said to be standing in the same or better footing than the other co-accused in view of the long absconsion.

In such circumstances, we are unable to confirm the interim order dated October 18, 2023 or to grant anticipatory bail to the petitioner and the prayer of anticipatory bail is rejected.

The application being CRM (A) 4863 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)