

10.01.2024

Serial no. ML250

Anticipatory bail

[Rejected]

Dd

CRM (A) 4913 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Ratua** Police Station Case No. **402** of **2023** dated **12.07.2023** under Sections **448/325/326/307/354/34** of the Indian Penal Code, 1860 adding section 302 of the IPC. (G.R. Case No. 2004 /2023)*

-And-

In the matter of : **Jamirul Hoque & Ors.**

... ..**Petitioners**

Mr. Rabiul Islam,
Mr. Raju Mondal,
Mr. Masooq Rahaman, Advocates
... .. For the Petitioners

Mr. Abhra Mukherjee,
Mr. Dipankar Mahata , Advocate
... ...For the State

Mr. Kaustav Bagchi,
Mr. Debayan Ghosh,
Mr. Pintu Kar , Advocates
... ...For the de facto complainant

Petitioners pray for anticipatory bail on the ground that other co-accuseds were enlarged on anticipatory bail by the order dated October 16, 2023 passed in CRM 4168 of 2023.

State and the de facto complainant are represented.

We perused the materials in the case diary.

There are statements recorded under Section 164 of the Criminal Procedure Code attributing specific role and overt act on the part of the petitioners before us.

One person was murdered.

In such circumstances, we are unable to arrive at the finding that the petitioners stand on the same footing as that

of other co-accuseds who were enlarged on anticipatory bail by the co-ordinate Bench by the order dated October 16, 2023.

In such circumstances, we are unable to grant anticipatory bail to the petitioners.

Prayer for anticipatory bail of the petitioners is **rejected**.

CRM (A) 4913 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)