

24.01.2024
DL-39
Court No.29
(AD)
(Rejected)

C.R.M. (A) 4991 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Balurghat** Police Station Case No.**133 of 2019** dated **03.03.2019** under Sections **143/186/332/333/353/325** of the Indian Penal Code and read with Section **3** of the Prevention of Damage to Public Property Act and Section **9** of West Bengal Maintenance of Public Order Act. (G.R. Case No.217 of 2019).

And

In the matter of: **Purnima Mohanta & Anr.**

....petitioners.

Mr. Kaushik Choudhury
Ms. Busra Khatoon

... for the petitioners.

Mr. Ranabir Roy Chowdhury
Mr. Sandip Chakraborty

...for the State.

Prayer for anticipatory bail is founded on parity with other co-accuseds who were granted such facility by order dated March 2, 2022 passed in CRM(A) 1028 of 2022 and on April 5 of 2022 passed in CRM(A) 1557 of 2022.

The police case is dated March 3, 2019. Other co-accuseds approached the Court in the year 2022 and obtained anticipatory bail.

In view of the long absconsion of the petitioners before us, we are unable to arrive at a finding that the petitioners before us stand on the same footing as that of the other co-accuseds who were enlarged on anticipatory bail.

In such circumstances, materials in the case diary implicate the petitioners.

Considering the long absconsion of the petitioners in the incident, we are unable to grant anticipatory bail to the petitioners.

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

C.R.M. (A) 4991 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)