

31.01.2024

Serial no. **ML 624**

Anticipatory bail

[Rejected]

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CRM (A) 5345 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Jalangi** Police Station Case No. **570** of **2017** dated **15.07.2017** under Sections **468/471/419/420/409/120B/34** of the Indian Penal Code, 1860. Charge sheet filed under Sections 468/471/419/409/120B/34 IPC (G.R. Case No. 3007/2017)*

-And-

In the matter of : **Md. Jahir Ull Alam @ Md. Jahirul Alam**
... ..**Petitioner**

Mr. Sudipta Moitra, Sr. adv.
Mr. Vijay Verma,
Mr. Dwaipayan Biswas, Advocates
... .. For the Petitioner

Mr. Saibal Bapuli, APP
Ms. Sayanti Santra, Advocate
... ..For the State

Petitioner prays for anticipatory bail.

Learned senior advocate appearing for the petitioner submits that the co-accused standing on the same footing was granted anticipatory bail by the co-ordinate Bench on September 25, 2023 passed in CRM (A) 3278 of 2023. Petitioner resigned 5 years before the police complaint was lodged.

Learned advocate for the State draws the attention of the Court to the materials in the case diary.

The police case is dated July 15, 2017. Charge sheet in respect of such police case was filed in 2021.

The co-accused who was enlarged on anticipatory bail was granted such facility in September 25, 2023.

There is an issue of long absconsion of the petitioner.

We are, therefore, not minded to find that the petitioner stands on the same footing as that of the other co-accused who was enlarged on anticipatory bail, particularly in view of the long absconsion of the petitioner.

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

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

CRM (A) 5345 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)