

01.02.2024

Serial no. ML 625

Anticipatory bail

[Rejected]

2d

CRM (A) 5346 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Chanchal** Police Station Case No. **1141** of **2023** dated **29.08.2023** under Sections **147/148/149/302/325/447/506/326/307** of the Indian Penal Code, 1860 read with Sections 25(1)(a)/ 25(1B)/27 of Arms Act.*

-And-

In the matter of : **Jahangir Alam @ Patik & Ors.**
... ..**Petitioners**

Mr. Arindam Jana,
Ms. Tanusree Kar,
Mr. P. P. Sinha,
Md. Sabbir Biswas, Advocates
... .. For the Petitioners

Mr. Madhusudan Sur,
Ms. Trina Mitra, Advocates
... ..For the State

In an incident of murder, eye-witness implicates all the petitioners before us in such offence. They ascribed specific role to the petitioners apart from them being present at the time and place of occurrence.

Reliance on behalf of the petitioners was placed on the order of the co-ordinate Bench dated October 3, 2023 passed in CRM (A) 4011 of 2023 to claim that one co-accused was granted anticipatory bail, is of no avail since, the petitioners before us are not similarly situated and circumstanced as such co-accused.

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

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

CRM (A) 5346 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)