

01.02.2024
Item No.61
Ct. No. 29
PG/KS
Rejected

C.R.M.(A) 5321 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Section J-2** corresponding to **New Market Police Station Case No.98** of **2019** dated **12.04.2019** under Sections **498A/406/34/ 34** of the Indian Penal Code, 1860.

And

In the matter of : **Abhay Singh & Anr.**

.....Petitioners.

Mr. Koustav Bagchi

Ms. Sinthia Bala

Ms. Preety Karfor the Petitioners.

Mr. Mirza Firoj Ahmed Beggfor the State.

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that the police filed charge-sheet.

There was a transfer petition moved before the Hon'ble Supreme Court, which was disposed of in November 2022. He relies upon an order granting anticipatory bail to the co-accused on November 24, 2020 in C.R. M.7153 of 2020.

Learned advocate appearing for the State submits that the husband is still absconding.

The police case is dated April 12, 2019. The co-accused was enlarged on anticipatory bail on November 24, 2020 by the coordinate bench. Transfer petition before the Hon'ble Supreme Court was disposed of on November 2022.

There is the issue of long absconsion of the petitioners. Moreover, the husband is yet to participate in the proceeding.

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

Accordingly, C.R.M.(A) 5321 of 2023 is rejected

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)