

02.02.2024

Serial no. **ML 736**

Anticipatory bail

[Rejected]

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CRM (A) 5459 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Bagnan** Police Station Case No. **30** of **2022** dated **23.01.2022** under Sections **498A/306/34** of the Indian Penal Code, 1860.*

-And-

In the matter of : **Bishwashwar Bishai @ Bishwasar Bishya**

... ..Petitioner

Mr. Amal Krishna Samanta,
Mr. Arka Kr. Das, Advocates
... .. For the Petitioner

Ms. Rituparna De Ghose, Advocate
... ..For the State

There is an issue of long absconsion of the petitioner.

The police case is dated January 23, 2022. Co-accused was enlarged on anticipatory bail by the order dated August 3, 2022 passed in CRM (A) 3692 of 2022.

In view of the long absconsion of the petitioner, we are unable to find the petitioner to be similarly circumstanced as that of the other co-accused.

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

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

CRM (A) 5459 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

