

AD-11  
Ct No.01  
Jalpaiguri  
22.08.2024  
sp

**Calcutta High Court  
In the Circuit Bench at Jalpaiguri  
Appellate Side**

**CRM (A) 540 of 2024**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Sitai Police Station Case No. 243 of the 2023 dated 30.10.2023 under Section 457/363/364A/326/307/34 of the Indian Penal Code.

And

In the matter of: Ilias Hoque @ Samim Haque

.. petitioner

Mr. Sudip Guha

... for the petitioners

Mr. Ujjwal Luksom,  
Mr. Saikat Chatterjee

...for the State

1. This is the second application for anticipatory bail is made on the ground that a co-accused Chandan Sarkar has been granted anticipatory bail by a Co-ordinate bench on 25<sup>th</sup> April, 2024 passed in CRM (A) 270 of 2024.
2. This Court notes that Chandan Sarkar has not been named in the statement recorded under Section 164 of the Cr. P.C. The petitioner Ilias Hoque also known as Samim Haque has been named in the statement recorded under Section 164 of the Cr. P.C. of the victim's family.
3. In that view of the matter, the argument of the petitioner that he stands in the same footing as Chandan Sarkar, is baseless and rejected.

4. In such circumstances, the application for anticipatory bail of the petitioner is rejected.
5. All the parties shall act on the server copy of this order duly downloaded from the official website of this Court.

**(Ajay Kumar Gupta, J.)**

**(Rajasekhar Mantha, J.)**