

21.08.2024
Court No.1
Item No.16
pk/AP

**HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

CRM(A) 547 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Dinhata** P.S. Case No.**317 of 1996** dated **30.11.1996** under Sections **147/149/447/436/365/506** of the Indian Penal Code.

And

In the matter of: **Rejaul Karim @ Rejaul Miah**

....Petitioner.

Mr. Sandip Guha Roy

...for the petitioner.

Mr. Ujjwal Luksom

Ms. Namrata Das

...for the State.

1. The application for anticipatory bail is canvassed on the ground that the principal two accused persons namely Mobarak Hossain and Delowar Hossain have been granted bail. It is under their leadership that 40 persons attacked and set fire to the house of the de facto complainant and kidnapped one person.

2. Learned counsel for the State opposes the prayer for anticipatory bail and submits that the petitioner is absconding since 1996.

3. Trial Court while rejecting the anticipatory bail has found that the petitioner is absconding for 25 years and has imposed cost of Rs.10,000/-. Counsel for the petitioner has not been able to apprise to this Court as to whether his client paid a costs of Rs.10,000/- or not.

4. In that view of the matter, this Court is not inclined to grant anticipatory bail to the petitioner.

5. The application for the anticipatory bail is thus rejected.

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)