

19. 28.02.2025
Court
No.29 (Tanmoy)

Rejected

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

CRM (DB) 90 of 2025

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 arising out of English Bazar P.S. Case No.435/2021 dated 08.4.2021.

And

In the matter of: - **MASUM SK**

...petitioner.

Mr. Musharraf Alam Sk.

...for the petitioner.

Mr. Arindam Sen

Mr. Sujoy Sarkar

...for the State.

Mr. Soumya Basu Roy Chowdhuri

...for the *de facto* complainant.

Dictated by Arijit Banerjee, J.

1. The petitioner says that there was an affair between him and the victim girl. Three other accused persons are on bail. He stands on the same footing as those accused persons. He should be enlarged on bail.
2. We find from the material on record including the statement of the victim girl (14 years of age) that there is sufficient incriminating material against this petitioner. He is the prime accused. His prayer for anticipatory bail was rejected by a co-ordinate Bench on January 11, 2022, in CRM 8018 of 2021. We find that the petitioner absconded for about three years and eight months.

3. In view of the history of absconsion of the petitioner and the *prima facie* incriminating material against him, we are not inclined to allow his prayer for bail, at this stage. The prayer for bail is rejected.
4. The application being CRM (DB) 90 of 2025 is accordingly dismissed.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)