

25.04.2025

Item No.DL33
Court No. 28
Asraf, AR(Ct.)

REJECTED

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION
APPELLATE SIDE

CRM (A) 1297 of 2025

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Kaliachak Police Station case no.1855 of 2024 dated 13.11.2024 under Sections 179, 180, 61(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

-and-

In Re : **JIYAUl HAQUE @ JIALUL HOSSAIN**

.....Petitioner

For the Petitioner :

Mr. Wasim Akram
Ms. Sabrina Parvin

.....Advocates

For the State :

Ms. Amita Gaur, Sr. Govt. Advocate
Mr. Tirthankar Dhali

.....Advocates

Learned counsel appearing on behalf of the petitioner submits as follows. The only material available against the present petitioner is the statement of a co-accused. Chargesheet has already been submitted.

Learned counsel appearing on behalf of the State submits as follows. The petitioner was named in the FIR. Actually at the time of raid, two persons were arrested, but the present petitioner fled away.

This is not a case where the only material available against the petitioner is the statement of a co-accused as it has

been alleged in the FIR that the petitioner had fled away from the spot. In other words, if the petitioner is arrested, there is a possibility that he would be identified by any of the raiding party members.

In view of the above discussions and the materials available in the case diary, I am not inclined to grant anticipatory bail to the petitioner.

Accordingly, the application for anticipatory bail being **CRM(A) 1297 of 2025** is **rejected**.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)