

13.12.2021
SL No.38
Court No.1
AJ

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

**CRM 1010 of 2021
(Via video Conference)**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Dinhata Police Station Case No.427 of 2021 dated 19.08.2021 under Sections 143/147/148/149/186/353/332/341/323/326/307/506/120B of the Indian Penal Code and Sections 25(1A)/27 of the Arms Act and Sections 3/4 of the Explosive Substances Act.

And

In the matter of : **Ajidul Haque.**

....petitioner.

Mr. Aditi Shankar Chakraborty, Ld. A.P.P.

Mr. Sourav Ganguly.

... For the State.

The learned Counsel for the petitioner is unrepresented.

No accommodation has been prayed for.

The learned Counsel for the State submits that this application has become infructuous in view of the order passed by the Sessions Judge, Cooch Behar on 24th November, 2021 granting anticipatory bail.

However, our attention is drawn to the submission made on behalf of the petitioner that no application for anticipatory bail of the accused has either been rejected by the Hon'ble Court or is pending for disposal before the Hon'ble Court.

No doubt, such submission is incorrect and misleading having regard to the fact the application was pending at the

relevant time, However, having regard to the fact that the said prayer is allowed on consideration of the case diary.

The attention is drawn to the learned Trial Judge with regard to such misleading statement.

This application has become infructuous in view of the order of the anticipatory bail granted by the learned Trial Judge.

Accordingly, C.R.M. 1010 of 2021 is dismissed as infructuous.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Biswajit Basu, J.)

(Soumen Sen, J.)