

21.03.2022
Serial no. 107
[Dd]
(Anticipatory bail
Rejected)

CRM (A) 772 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Bhadreswar** Police Station Case No. **63** of **2019** dated **01.03.2019** under Sections **447/427/436/34** of the Indian Penal Code.

-And-

In the matter of : **Krishna Thapa**

... ..**Petitioner**

Mr. Suman Chakraborty, Advocate
... .. For the **Petitioner**

Mr. Tanmay Kr. Ghosh, Id. SGA
Mr. Arindam Sen, Advocate
... ..For the State

Petitioner renews the prayer for anticipatory bail.

Learned advocate appearing for the petitioner submits that one of the co-accused was granted anticipatory bail by the co-ordinate Bench on May 25, 2021 in CRM 1622 of 2021. In any event, the police filed charge sheet and, therefore, custodial interrogation of the petitioner is not required.

Learned advocate appearing for the State submits that there is no material change in circumstances subsequent to the earlier order of rejection. The petitioner cannot claim parity with other co-accused who was granted anticipatory bail. Since such co-accused was released on anticipatory bail on gender and the involvement in the incident.

Considering the fact that there is hardly any material change in circumstances subsequent to the earlier order of

rejection, we are not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner is **rejected**.

CRM (A) 772 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)