

81 14.02.2022
(AD) Court No.29
(Rejected)

C.R.M. 3082 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Raninagar** P.S. Case No. **532 of 2012** dated **15/09/2012** under Sections **489B/489C** of the Indian Penal Code.

And

In the matter of: - Obaidul Sk. @ Mondal

...petitioner.

Mr. Madhusudan Sur, Ld. APP
Mr. Dipankar Paramanick

...for the State.

None appears for the petitioner.

None appeared for the petitioner on October 4, 2021 also.

Learned Advocate appearing for the State submits that the petitioner was enlarged on bail by the jurisdictional Court and the petitioner failing to comply with the conditions of the bail, the same was cancelled. Therefore, the present petition under Section 438 of the Code of Criminal Procedure is not maintainable.

In such circumstances, given the fact that the jurisdictional Court initially enlarged the petitioner on bail and was subsequently constrained to cancel such bail on the ground of the petitioner failing to adhere to the conditions of the grant of bail and considering the fact that there is a warrant of arrest issued against the petitioner, we are unable to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the

petitioner is rejected.

C.R.M. 3082 of 2021 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)