

CRM 7859 of 2021
(via video conference)

Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

In the matter of : **Rekha Barman**

..... petitioner

Mr. Ayan Bhattacharya

.....For the petitioner

Mr. Ranabir Roy Chowdhury

Mr. Mainak Gupta

.....For the State

Apprehending arrest in connection with Balurghat Police Station Case No. 538 of 2019 dated 28.10.2019 under Sections 341/448/323/302/506/34 of the Indian Penal Code, the present application has been preferred.

Mr. Bhattacharya, learned advocate appearing for the petitioner submits that the petitioner's earlier prayer for anticipatory bail was rejected on 7th June, 2021 but at that juncture, the petitioner was not aware that co-accused persons, similarly situated with her, had already been granted anticipatory bail on 3rd February, 2021. Had such fact been brought to the notice of the Court on 7th June, 2021, the order would have been otherwise.

Mr. Roy Chowdhury, learned advocate appearing for the State submits that the petitioner was absconding and on the said ground her prayer for anticipatory bail was turned down on 7th June, 2021 and there had been no change in the circumstances thereafter.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary.

The argument as advanced by Mr. Bhattacharya is not acceptable to us and we do not find any substantial change in the circumstances subsequent to rejection of the petitioner's prayer for anticipatory bail on 7th June, 2021.

In view thereof, we are not inclined to exercise any discretion in favour of the petitioner and the application being CRM 7859 of 2021 is, accordingly, dismissed.

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

(Ajoy Kumar Mukherjee, J.)

(Tapabrata Chakraborty, J.)