

09.06.2023

Item no. 28

Ct.29

(Suvendu)

C.R.M. (A) No.2191 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Bharatpur Police Station Case No.151 of 2021 dated 28.05.2021 under Sections 341/326/307/34 of the Indian Penal Code and 3/4/5 of the Explosive Substances Act.

And

In the matter of:- Anuwar Hossain & Ors.

..... Petitioners

Mr. Manas Kumar Das
Mr. Pritam Kumar Thakdar

.. for the petitioner

Mr. Saibal Bapuli
Mr. Soumik Ganguly

..for the State

1. Heard learned Counsel appearing for the parties.
2. As earlier petition for anticipatory bail filed by the present petitioners was rejected by a coordinate Bench, we are not inclined to entertain this application for anticipatory bail considering the factum of filing of charge-sheet to be a supervening circumstances.
3. However, if each of the petitioners shall surrender before the learned Additional Chief Judicial Magistrate, Kandi, Murshidabad in Bharatpur Police Station case No. 151 of 2021 within 15 days from today and file application for bail, such application shall be disposed of by the learned Additional Chief Judicial Magistrate, Kandi, Murshidabad on the same day taking into consideration the question of parity, if

canvassed by the learned counsel appearing for the petitioners.

4. A copy of this order be served on the Additional PP or Assistant PP attached to the Court of the learned Additional Chief Judicial Magistrate, Kandi, Murshidabad well in advance to make the Case Diary ready for hearing of the bail application on the same day.
5. With the above observations, the application for anticipatory bail being **C.R.M. (A) 2191 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

