

09.08.2023
SL No. A 138
Court No.29
s.biswas

C.R.M. (A) 2915 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** P.S. Case No. **241 of 2021** dated **17.05.2021** under Sections **498A/302/34** of the IPC.

And

In the matter of: **Nilufa Sk.**

....petitioner

Mr. Ashok Das

Mr. Asraf Mondal

...for the petitioner

Mr. Saswata Gopal Mukherji, PP

Mr. Aniket Mitra

Ms. Jonaki Saha

...for the State

1. Heard learned Counsel for the parties.
2. On an earlier application for anticipatory bail moved by the present petitioner has already been rejected by order dated 07.10.2021 in CRM 4270 of 2021. The present petition on the ground of supervening circumstance is not maintainable, the basis of submission being filing of charge-sheet in the meantime and admission of the accused on regular bail.
3. Accordingly, the prayer for anticipatory bail is rejected.
4. The present application being **CRM (A) 2915 of 2023** is dismissed.
5. However, if the petitioner being a lady appears before the competent court within 15 days from date with three days' advance notice to the concerned Public Prosecutor and moves application for bail, the same shall be disposed of on merit on the same day. The ground of parity if canvassed

shall be taken into consideration by the learned court below,
while disposing of such bail application.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)