

09.08.2023
SL No. A 140
Court No.29
s.biswas

C.R.M. (A) 2917 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chakdaha** P.S. Case No. **500 of 2022** dated **30.07.2022** under Sections **448/325/326/307/354/34** of the IPC.

And

In the matter of: **Jogen Sharma**

....petitioner

Mr. Kalyan Kr. Chakraborty
Mr. Kasinath Bhattacharya

...for the petitioner

Ms. Anusuya Sinha
Ms. Mayukhi Mitra

...for the State

1. Heard learned Counsel for the parties.
2. The prayer for anticipatory bail filed by the present petitioner earlier has already been rejected. Filing of charge-sheet and admission of some of the co-accused persons on regular bail are not grounds warranting reconsideration of the prayer made in the present petition.
3. Accordingly, the present application being **CRM (A) 2917 of 2023** is dismissed.
4. However, if the petitioner appears before the competent court within 15 days from date with three days' advance notice to the concerned Public Prosecutor and files application for bail, the same shall be considered on merit in accordance with law, taking into consideration whether the fracture of left ulna which is not a vital part of the body attracts offence under Section 307 of the Indian Penal Code. 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.)