

30.08.2023
SL. 73
Court No. 29
Sourav
(Rejected)

C.R.M. (A) 3522 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Karimpur** Police Station Case No. **34** of **2023** dated **20.02.2023** under Sections **447/325/307/34** IPC.

And

In the matter of: **Shanti Sarkar @ Santi & Anr.**

....petitioners.

Mr. Sourav Mukherjee

...for the petitioners.

Ms. Faria Hossain
Ms. Baisali Basu
Ms. Mamata Jana

... for the State.

1. Heard learned Counsel for the parties.
2. The earlier petition for anticipatory bail filed by the present petitioners and the other co-accused persons was rejected vide order 05.04.2023 passed in CRM (A) 1434 of 2023.
3. Present petition is moved on the ground that some of the co-accused persons who were the petitioners in the earlier petition for anticipatory bail have not been sent for trial. Admittedly, the present petitioners have been sent for trial. Therefore, discharging some co-accused persons from the charge-sheet is not a supervening circumstance warranting reconsideration of the prayer for anticipatory bail of the present petitioners.
4. Accordingly, the prayer for anticipatory bail is rejected.
5. The application being **CRM (A) 3522 of 2023** is dismissed.
6. However the petitioners are directed to appear before the

Court of jurisdictional magistrate in the G.R. Case arising out of the aforesaid P.S. Case within 15 days from today by giving three days advance notice to the learned PP/APP attached to the said court. On their appearance and application for bail, the same shall be disposed of on merit on the same day considering the fact that charge-sheet has been submitted. Ground of parity if canvassed shall be taken into consideration.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

