

05.10.2023

SL. 8

Court No. 29

Sourav

C.R.M. (A) 3539 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bagnan** Police Station Case No. **65** of **2019** dated **18.02.2019** under Sections **420/406/323/376/506/34** IPC (corresponding to G.R. Case No. 328 of 2019).

And

In the matter of: **Sk. Asish Ali @ Sk. Ashik Ali**

....petitioner.

Mr. Ayan Bhattacharya

Ms. Subhra Das

Mr. Abhrajit Roy Chowdhury

...for the petitioner.

Mr. Swapan Banerjee

Mr. Anindya Sundar Chatterjee

...for the State.

1. Heard learned Counsel for the parties.
2. While not pressing this petition for anticipatory bail filed for the third time, learned Counsel for the petitioner submits that he be allowed to surrender before the competent court which is *in seisin* over the matter and take benefit of the parity.
3. Regard being had to such facts and submissions, the present petition for anticipatory bail being **CRM (A) 3539 of 2023** is disposed of directing the petitioner to surrender before the competent Court within 15 days of the reopening of the Court after ensuing Puja Vacation giving three days advance notice to learned PP/APP attached to the said Court. On his surrender and application for bail before the competent court which is *in seisin* over the matter, such application for bail shall be disposed of on merit after hearing both the parties in accordance with law on the same day. Ground of parity, if

canvassed, shall be taken into consideration while disposing of the prayer for bail.

4. Accordingly, the application being **CRM (A) 3539 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

