

13.09.2023
ML. 43
Court No. 29
Suvayan

C.R.M. (A) 3650 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Dhubulia** Police Station Case No. **367 of 2014** dated **04.12.2014** under Sections **363/366/34** of the IPC.

And

In the matter of: **Hasu Sk @ Hasibul Sk @ Khoso**

....petitioner.

Mr. Manas Das

Mr. Tushar Sil

...for the petitioner.

Mr. Pravas Bhattacharya

Mr. Mirza Firoj Ahmed Begg

...for the State.

1. Heard learned Advocate for the petitioner and learned Advocate for the State at length.
2. The memo of evidence as submitted by learned Advocate for the State be taken on record.
3. From the memo of evidence as submitted by S.I., Sumit Kumar Ghosh being O.C., Dhubulia P.S., Nadia it reveals that in connection with the aforementioned P.S. case proclamation has been completed as against the present accused petitioner.
4. In view of such predicament, we hold that the instant application for the anticipatory bail is not maintainable.
5. However, liberty is given to the present petitioner to approach the competent Magistrate Court within 15 days from today and on his appearance and application for bail with three days of prior notice to the concerned PP/APP attached to the said Court, such bail application shall have to be considered by the concerned Magistrate on merit. If the principal accused has already been released on bail or anticipatory bail in the meantime, the prayer of the present petitioner shall be considered in the light of the said application.
5. The application being **CRM (A) 3650 of 2023** is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

