

18.09.2023
ML. 106
Court No. 29
NKB

C.R.M. (A) 3713 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Palashipara** Police Station Case No. **32** of **2022** dated **16.01.2022** under Sections 326/307/34 of the Indian Penal Code.

And

In the matter of: **Palash Gharami @ Safikul Gharami.**

....petitioner.

Mr. Ashok Das
Mr. Amanul Islam
Mr. Sourav Mukerjee

...for the petitioner.

Mr. Arijit Ganguly
Mr. Avik Ghatak

...for the State.

1. Heard learned Counsels for the parties.
2. It is fairly submitted by the learned Counsel for the petitioner that though the earlier petition of anticipatory bail was rejected by the coordinate bench, he is moving this petition on the ground that the principal accused has been released on regular bail in the meantime. Such a ground is, however, not a supervening circumstance warranting reconsideration of the prayer for anticipatory bail. However, if the petitioner surrenders before competent magistrate within 15 days from today with three days' advance notice to learned PP/APP attached to the said Court and files application for bail, the same shall be disposed of on merit on the same date. Ground of parity, if canvassed, shall be taken into consideration by the learned Magistrate.
3. The application being **CRM(A) 3713 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

