

21.09.2023

ML. 207

Court No. 29

Sourav

(Dismissed)

C.R.M. (A) 3815 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Sagarpara** Police Station Case No. **138** of **2022** dated **03.07.2022** under Sections **302/34** IPC (corresponding to G.R. Case No. 2799 of 2022).

And

In the matter of: **Hakim Sekh & Anr.**

....petitioners.

Mr. Rabiul Islam

Mr. Raju Mondal

Mr. J. Hossain

...for the petitioners.

Mr. Sanjoy Bardhan

Ms. Baishakhi Chatterjee

...for the State.

1. Heard learned Counsel for the parties.
2. The earlier petition for anticipatory bail was rejected by a co-ordinate Bench vide order dated 07.11.2022 passed in CRM (A) 5088 of 2022 on the following grounds:

“Considering the gravity of the offence and the involvement of the petitioners therein as transpiring from the materials in the case diary, we are unable to grant anticipatory bail to the petitioners.”
3. It is found that earlier petition for anticipatory bail was rejected on merit.
4. In view of such fact, filing of charge-sheet is not a supervening circumstance warranting reconsideration of the prayer for bail.
5. Accordingly, the application being **CRM (A) 3815 of 2023** is dismissed.

6. In view of such submission, it is directed that the petitioners, if so advised, appear before the learned CJM, Murshidabad at Berhampore in G.R. Case No. 2799 of 2022 within 15 days from today with three days advance notice to the PP/APP attached to the said Court and file application for bail, such application for bail shall be disposed of on merit on the same day.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

