

04.10.2023
SL. 46
Court No. 29
Suvayan

C.R.M. (A) 4042 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Chopra** Police Station Case No. **606 of 2017** dated **03.08.2017** under Sections **147/148/149/323/324/325/326/307/34** of the IPC read with Sections **25(i)(a)/27** of the Arms Act and Sections **3/4** of E.S. Act.

And

In the matter of: **Hasibul Rahaman**

....petitioner.

Mr. Amit Roy

...for the petitioner.

Mr. Rudradipta Nandy, APP

Mr. Subroto Roy

...for the State.

1. Heard learned Advocate for both the parties.
2. At the very outset attention of this Court drawn is to Annexure P2 being the photocopy of the Order No. 02 dated 24.02.2022 as passed by learned Sessions Judge, Uttar Dinajpur, Raiganj in CrI. Misc. Case No. 239 of 2022 whereby and whereunder the present petitioner along with other co-accused persons have been enlarged on anticipatory bail by the learned Sessions Judge, Uttar Dinajpur, Raiganj.
3. Learned Advocate for the petitioner submits before this Court that since the bail bond amount as fixed by learned Sessions Judge, Uttar Dinajpur, Raiganj is not befitting to the economic standard of the present petitioner, he has approached this Court with a fresh prayer.
4. On perusal of the entire materials, we find that since the present petitioner has already been enlarged on anticipatory bail, the instant application for anticipatory bail is not maintainable.
5. However, liberty is given to the present petitioner to approach

the learned Sessions Judge, Uttar Dinajpur, Raiganj, if so advised for relaxation of condition of his anticipatory bail and in the event such an application is filed, learned Sessions Judge, Uttar Dinajpur, Raiganj shall consider such application in accordance with law.

6. Accordingly, the application being **CRM (A) 4042 of 2023** is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

