

04.10.2023
(D/L 26)
Ct. No.29
Disposed of
(SKB)

CRM (A) 4020 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Nandakumar P.S. Case No.442 of 2022 dated 25.12.2022 under Sections 341/323/325/326/307/354/506/34 of the Indian Penal Code corresponding to G.R. Case No.3702 of 2022.

In the matter of : Jahida Khatun Bibi

... Petitioner

Mr. Bhaskar Hutait

... for the petitioner

Mr. Rudradipta Nandy, Id. APP
Mr. Subrato Roy

... for the State

1. Heard learned counsel for the parties.
2. This second application for anticipatory bail has been filed on the ground that the co-accused persons who are similarly circumstanced with the present petitioner have been released on anticipatory bail in the meantime. Such a fact does not constitute any supervening circumstance warranting reconsideration of the prayer for anticipatory bail.
3. However, if the petitioner appears before the competent Magistrate within 15 days from the day of reopening of the court after ensuing Puja Vacation with three days advance notice to the learned PP/APP attached to the said court and file application for bail, the same shall be disposed of by the learned Magistrate on merit in

accordance with law on the same day after hearing learned counsel for both the parties. Ground of parity, if canvassed, shall be taken into consideration at the time of disposal of such application.

4. With the aforesaid observation, the application being CRM (A) 4020 of 2023 is disposed of and the prayer for anticipatory bail is rejected.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)