

14.12.2023
ML. 63
Court No. 29
Sourav
(Rejected)

C.R.M. (A) 4686 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kaliachak** Police Station Case No. **117** of **2021** dated **02.02.2021** under Sections **341/326/307/302/34** IPC read with Sections **25/27/35** of the Arms Act (corresponding to G.R. Case No. 563 of 2021).

And

In the matter of: **Obaidullah Sk @ Mithun @ Obaidulla Sekh**
....petitioner.

Mr. Priyankar Ganguly
...for the petitioner.

Mr. Ranabir Roy Chowdhury
Mr. Ashok Das
...for the State.

1. Heard learned Counsel for the parties.
2. The report as submitted by the I.O. through learned Counsel for the State is taken on record.
3. On perusal of the report, it reveals that proclamation as issued under Sections 82 and 83 of the Code of Criminal Procedure as against the present petitioner has already been executed on 09.09.2022 while the instant case has been filed much after that i.e., on 05.10.2023.
4. Keeping in mind the judicial precedence, we are, thus, not inclined to allow the prayer for anticipatory bail under Section 438 Cr.P.C. as made by the petitioner.
5. Accordingly, the prayer for anticipatory bail is rejected.
6. The application being **CRM (A) 4686 of 2023** is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

