

03.07.2024

Court No.29

Item No. 28

ar

CRM (A) 2079 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Malda Police Station Case No. 131 of 2024 dated 12.03.2024 corresponding to G.R Case No. 1556 of 2024 under Sections 341/323/324/325/307/354B/34 the Indian Penal Code.

In Re: **Sonatan Halder @ Sanatan Haldar @ Deku**

Petitioner

Mr. Sujoy Sarkar

Mr. Mushraf Alam

For the Petitioner

Mr. Madhusudan Sur, Ld. APP

MR. Bikram Mitra

For the State

1. The petitioner having disclosed that the petitioner has deposited the cost with the West Bengal State Legal Services Authority in terms of the order dated 25th April, 2024, we are inclined to take up the matter.
2. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the instant case.
3. Learned counsel for the State has drawn our attention to the earlier order of rejection by a coordinate bench on 25th April, 2024 and submits that unless there is a change in circumstances the second application cannot be considered.
4. Considering the materials available in the case diary and having regard to the fact that the earlier rejection of application was on merit and the coordinate bench has observed that the materials in the case diary suggest requirement of investigation and the role of the petitioner requires investigation. As there has not been shown any change in the circumstances, we are of the view that this application is thoroughly misconceived and the same is accordingly dismissed.

5. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J)

(Uday Kumar , J)