

09.09.2024
Court No.29
Item No. 41

Allowed

SM/Aloke

CRM (A) 3171 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the BNSS, in connection with Margram Police Station Case No. 115 of 2024 dated 20.04.2024 under Sections 304B/306/34 of the of the Indian Penal Code, pending before the Court of learned Additional Chief Judicial Magistrate, Rampurhat, Birbhum.

And

In Re: **Obaitulla Sk. @ Obaitulla Saikh**
Petitioner

Mr. Arnab Saha,

For the Petitioner

Mr. R.D. Nandy,
Mr. Subham Bhakat

For the State

1. Heard the learned advocates for the parties.
2. In view of the fact that on 22nd August, 2024 prior to the filing of this application the petitioner has been declared proclaimed offender by the learned Additional Chief Judicial Magistrate, Rampurhar, Birbhum.
3. In view of the judicial verdict in *Lavesh vs. State (NCT, Delhi) 2012 (8) SCC 730*, the application is not maintainable and the same stands dismissed as 'not maintainable'.
4. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Shampa Dutt (Paul), J.)