

05.01.2024

Sl.18

Court No.29

(AD)

(Rejected)

C.R.M. (A) 4564 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Uluberia** Police Station Case No.**79 of 2022** dated **24.03.2022** under Sections **342/325/307/506/34** of the Indian Penal Code, 1860, and submitted charge sheet under Sections **342/325/307/506/34** of the Indian Penal Code. (G.R. No.601 of 2022).

And

In the matter of: **Krishna Roy & Anr.**

....petitioners.

Mr. Manas Kumar Das

Mr. Abdul Aziz Mondal

Mr. Aritra Kumar Thakdar

... for the petitioners.

Mr. Sanjoy Bardhan

...for the State.

The application for anticipatory bail is taken up for consideration subsequent to the order dated October 16, 2023 passed by the Coordinate Bench.

By such order, the interim anticipatory bail was granted to the petitioners.

It is submitted at the bar that such order was passed without considering the materials in the case diary and in view of the ensuing puja vacation.

We perused the materials in the case diary.

We find that the petitioners before us obtained an order dated June 19, 2023 passed in criminal revision jurisdiction of the High Court being CRR 235 of 2023. By such order, the Court directed that in case the petitioners surrendered by July 7, 2023 before the jurisdictional Court and pray for bail, the learned Trial Court would consider the application for bail in

accordance with law.

The petitioners did not comply with the order dated June 19, 2023 passed by the revisional Court. Such order was passed at the instance of the petitioners. The petition for anticipatory bail does not contain any averment with regard to the order dated June 19, 2023 passed by the revisional Court. Petitioners suppressed the same in this petition.

Apparently, the petitioners are seeking to obtain an order of anticipatory bail when, there subsists an order dated June 19, 2023 passed by the revisional Court. The petitioners, as noted above, did not comply with such order.

In such circumstances, we are unable to confirm the interim order dated October 16, 2023 or grant anticipatory bail to any of the petitioners.

Accordingly, the prayer for anticipatory bail of the petitioners is rejected.

C.R.M. (A) 4564 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)