

AD 23
April 23, 2025
Ct. 28
SG

Reject

CRM(A) 1208 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Baishnabnagar P.S. Case No.428 of 2023 dated 09.07.2023 under Sections 341/307/325/326/302/34 IPC.
And

In the matter of: *Kabir Sk @ Kabir Ali*

... petitioner

Mr. Imdadul Hoque

... for the petitioner.

Ms. N. Zarin Khan
Ms. Rita Dutta

... for the State

Learned counsel appearing for the petitioner submits that earlier an application for anticipatory bail was not pressed as the order issuing proclamation was pending against the same. However, the same has been stayed in a revision subsequently.

Learned counsel for the State submits that as a proclamation which was issued against the petitioner and there is no change in circumstance, a second application for anticipatory bail is not maintainable. In any event, the petitioner is the prime accused in this case as would be evident from the earlier orders passed by this Court allowing anticipatory bail application to other co-accused.

Perused the case diary.

In view of the fact that the petitioner is the main accused in this case who had allegedly stabbed the victim causing his death and the other materials contained in the case diary, I am not inclined to grant anticipatory bail to the petitioner. Moreover, there is no material change in circumstance.

The application for anticipatory bail is, thus, rejected.

(Jay Sengupta, J.)