

AD 8
May 23, 2025
Ct. 28
SG

Reject

CRM(A) 1674 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Lake Town P.S. Case No.217 of 2021 dated 26.08.2021 under Sections 498A/325/307/406/506/34 of the IPC.

And

In the matter of:

Kishan Chhaochharia

... petitioner

Mr. Shiv Shankar Banerjee
Mr. Abhishek Chakraborty
Mr. Rajendra Kumar Nandi

... for the petitioner

Ms. Manisha Sharma
Mr. Santanu Talukdar

... for the State

Mr. Phiroze Edulji, Sr. Adv.
Mr. Debanjan Bhattacharjee
Mr. Rohan Ojha

... for the de facto complainant

Learned counsel for the petitioner submits that the second application for anticipatory bail is maintainable as there is a change in circumstance as a charge-sheet has now been filed in this case.

It does not appear that the charge-sheet has omitted any provision as contained in the FIR.

Submission of charge-sheet is a natural consequence of initiation of a criminal proceeding. This cannot be termed as a material change in circumstance so as to entitle an accused to pray for anticipatory bail for the second time.

Accordingly, the second application for anticipatory bail filed without any material change in circumstance, is rejected.

(Jay Sengupta, J.)