

11/08/2025

D/L 69

Ct. No.28

S.Kundu

Rejected

C.R.M.(A) 2571 of 2025

In Re:- An application for anticipatory bail under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023/under Section 438 of the Code of Criminal Procedure. In connection with Narendrapur police station case no. 1189 of 2022 dated 5.11.2022 (special case no. 244 of 2022) under sections 363/365 of the IPC.

In the matter of: Mithun Sardar

... Petitioner

Ms. Gopa Biswas

...for the petitioner.

Mr. Bitasak Banerjee

Mr. A. Sinha

...for the State.

1. Learned counsel appearing on behalf of the petitioner submits that this is a second application for anticipatory bail. The change in circumstance is that a charge-sheet has been submitted.
2. Learned counsel appearing for the State submits that the petitioner's application was rejected by a Division Bench of this Court on 1.2.2023 in CRM (A) 393 of 2023.
3. It is indeed very surprising that the petitioner was neither arrested nor did he surrender before the learned Trial Court, although his application for anticipatory bail was rejected earlier on 1.2.2023.
4. In any event, the present application is a second application for anticipatory bail without there being any change in circumstance. Filing of charge-sheet under

same provisions as contained in the FIR is not a change in circumstance.

5. Accordingly, the application for anticipatory bail is rejected.

(Jay Sengupta, J.)