

10.03.2026
Sl. No.18
Ct. 28
NB

C.R.M (A) 475 of 2026

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bamongola PS Case No.263/2024 dated 15.11.2024 under Sections 329(3)/117(2)/74/110/3(5) of the Bharatiya Nyay Sanhita, 2023.

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And

In the matter of: Bablu Ram & Anr.

... petitioners

Mr. Tapas Kumar Adhikari,
Mr. Abhijit Ghosh.
...for the petitioners.

Mr. Debabrata Chatterjee,
Mr. Samarjit Balial.
...for the State.

Learned counsel appearing on behalf of the petitioners submits that this is a second application for anticipatory bail. The same has been filed on the ground that a charge sheet has been submitted in this case.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He submits that charge sheet has been submitted under the same sections which were present in the First Information Report. The second application for anticipatory bail, therefore, would not be maintainable as there is no material change in circumstances.

It appears that charge sheet has now been submitted including under the provisions which were already there in the First Information Report.

Filing of a report in final form is a natural consequence of the initiation of a criminal proceeding. This cannot be treated as a material change in circumstance.

Accordingly, the second application for anticipatory bail without there being any material change in circumstance is dismissed, as not maintainable.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)