

Criminal Procedure Code, 1973 (2 of 1974), Section 438 – Anticipatory bail – Before the charge sheet was filed, petitioners were granted anticipatory bail – In the order granting bail, this Court had observed that, after charge sheet is filed, it is open for the petitioners to surrender and apply for the Regular Bail before the Competent Court – Merely because it was kept open for the petitioners to surrender and apply for Regular Bail after filing of the charge sheet, the same does not preclude the petitioners to apply for anticipatory bail under Section 438 Cr.P.C. after filing of the charge sheet – It also cannot be said, that same is a second application for grant of anticipatory bail .

PLRonline 470553

[Login / Subscribe](#) to read Full Notes and Judgment

Read Also : CrPC S. 438

[\(2022-1\)205 PLR 369 \(SC\)](#)