

16.04.2021
Item No.250
Ct.No.28
Subha
rejected

C.R.M. 883 of 2021
(Via Video Conference)

In Re: An application for anticipatory bail under Section 438 Cr.P.C in connection with Kaliachak P. S. Case No. 340 of 2019 dated 17-06-2019 punishable under Sections 18(c)/21 (c) of the N.D. P. S Act.(Corresponding to Spl. No. 10 of 2019.

In the matter of : **Md. Kalu Sk. @ Kayum** ... Petitioner.

Mr. Mazhar Hossain Chowdhury
... For the Petitioner.

Mr. Madhusudan Sur
Mr. Dipankar Pramanick
... For the State.

The present application under Section 438 of the Code of Criminal Procedure has been preferred by the petitioner in connection with in connection with Kaliachak P. S. Case No. 340 of 2019 dated 17-06-2019 punishable under Sections 18(c)/21 (c) of the N.D. P. S Act.(Corresponding to Spl. No. 10 of 2019.

The petitioner was denied anticipatory bail by a Co-ordinate Bench of this court on 9th September, 2019.

However, conveniently, the said statement was not made in the application for anticipatory bail of the present petitioner. Apart from that there is no change of circumstances for which we can re-visit the order passed by the learned Co-ordinate Bench of this Court.

There has been suppression of material fact for which the petitioner is directed to deposit a sum of Rs.10,000/- to the State Legal Services Authority within a week from date.

The server copy of the order dated 9th September, 2019 passed by the Co-ordinate bench of this court be kept with the record.

Accordingly, the application for anticipatory bail of the present petitioner is rejected.

(Tirthankar Ghosh, J)

(Soumen Sen, J.)

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