

25.09.2023
ML. 299
Court No. 29
Sourav
(Rejected)

C.R.M. (A) 3907 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Asansol Cyber Crime** Police Station Case No. **27** of **2020** dated **15.10.2020** under Sections **379/419/420/120B** IPC (corresponding to G.R. Case No. 2152 of 2020).

And

In the matter of: **Bijay Mondal**

....petitioner.

Mr. Pronojit Roy
Mr. Debasis Mitra
Ms. Priya Chakraborty

...for the petitioner.

Mr. Sudip Ghosh
Mr. Bitasok Banerjee

...for the State.

1. Heard learned Counsel for the parties.
2. The earlier petition for anticipatory bail by the present petitioner was rejected vide order dated 01.03.2022 passed in CRM (A) 387 of 2022.
3. It is submitted by the learned Counsel for the petitioner that some of the materials like absence of name of the petitioner in the beneficiary account has not been taken into consideration in the earlier order of this Court passed by the co-ordinate Bench.
4. In view of bar under Section 362 Cr.P.C., we cannot review the earlier order of the co-ordinate Bench and secondly, the grounds taken by the learned Counsel for the petitioner is not a supervening circumstance warranting reconsideration of the prayer for bail.
5. Regard being had to such facts, we are not inclined to exercise our discretion under Section 438 Cr.P.C. in favour of

the petitioner.

6. Accordingly, the prayer for anticipatory bail is rejected.
7. The application being **CRM (A) 3907 of 2023** is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

