

17.01.2025
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as
[REJECTED]

C. R. M. (A) 181 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with NDPS Case No.122 of 2022 arising out of Kaliachak Police Station Case No.875 of 2022 dated 12.08.2022 under Sections 21(c)/27A/29 of the NDPS Act.

In Re: ***Layek Ali @ Laltu.***

... .. Petitioner

Mr. Sabyasachi Banerjee, Ld. Sr. Adv.
Mr. Abhimanyu Banerjee,
Mr. Arnab Saha

... .. for the petitioner

Mr. Debasish Roy, Ld. P.P.
Ms. Mausumi Sarkar

... .. for the State

1. This is a subsequent application for pre-arrest bail. It is contended proclamation issued against the petitioner has since been set aside. There is no material connecting him with the alleged offence. Accordingly, he prays for reconsideration of his prayer for pre-arrest bail.

2. Learned Public Prosecutor opposes the prayer for anticipatory bail.

3. We have perused the earlier order rejecting bail. The co-ordinate Bench had considered the materials in the case diary and rejected the prayer on merits. In the said order co-ordinate Bench unequivocally recorded as follows;

“We find from the materials in the case diary that the petitioner is complicit in the incident.”

Law does not permit review of an earlier order passed on merits.

4. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Uday Kumar, J.)

(Joymalya Bagchi, J.)