

28.04.2026
Item no.11.
Court No.05.
KAUSHIK

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction**

CRM (A) 256 of 2026

In Re: An Application for Anticipatory Bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kotwali Police Station FIR No. 1245 of 2024 dated 20.12.2024 under Section 18(b) of the NDPS Act.

And

In the matter of :Siddik Ali @ Chhiddik Ali.

.....Petitioner.

Ms. Madhushri Dutta

Mr. Bipasha Mrug

.....for the Petitioner.

Mr. Nilay Chakraborty, learned APP

Mr. Ujjal Luksom

Ms. Heena Yasmin Shaikh

.....for the State.

The record reveals that a similar application seeking anticipatory bail was filed by the petitioner, which was registered as CRM (A) 156 of 2026. By an order dated 18.03.2026, the said application was dismissed as not pressed. The order dated 18.03.2026 is extracted below:

“1. Report filed on behalf of the State is taken on record.

2. Head the learned counsels for the parties.

3. At this stage, learned counsel appearing for the petitioner submits that the petitioner would not like to press this application.

4. Accordingly, the application for anticipatory bail is dismissed as not pressed.”

In the decision, reported in 2011 (2) CHN 650 (Shibram Bhowmick &Anr. Vs. State of West Bengal), the Hon’ble Division Bench of this Court ruled as follows:

“In the case of an application for pre-arrest bail dismissed as withdrawn without leave to apply afresh including applications withdrawn without disclosing reasons therefor a fresh application may be entertained provided the applicant satisfies the Court as to the circumstances which made withdrawal of the application imperative and that the withdrawal was not for any strategic reason nor was there any lack of bona fide intentions.”

The order dated 18.03.2026 does not reflect that any leave was obtained to file a subsequent application with the self-same prayer. In the present application, registered as CRM (A) 256 of 2026, no pleading has been made to indicate the circumstances that necessitated withdrawal of the earlier application, or to demonstrate that such withdrawal was neither strategic nor lacking in bona fides.

In view of the above, the application being CRM (A) 256 of 2026 seeking the petitioner’s pre-arrest bail is **dismissed**.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Partha Sarathi Chatterjee, J.)