

Party Name : GOPAL DEBNATH ON BEHALF OF ACCD. MITHAN SARKAR Vs THE STATE OF TRIPURA

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HONBLE THE CHIEF JUSTICE DEEPAK GUPTA

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This petition has been filed by the petitioner Sri Gopal Debnath for grant of bail on behalf of the accused Mithan Sarkar who is alleged to have committed offence punishable under Sections 498A/302/34 of the Indian Penal Code.

On a specific question being asked, Sri A. Bhattacharji, learned counsel for the petitioner, submitted that in fact, he had moved a bail application before the trial Court which was rejected.

On perusal of the order dated 13-11-2014 produced by the learned counsel for the petitioner, I find that this application for bail was rejected by the trial Court on a specific ground that the relatives of the accused had tried to influence the prosecution witnesses and one of the prosecution witnesses had, in fact, filed an affidavit in this regard. In the bail application, there is no mention of this order having been passed. There is no mention that the bail application was rejected on the ground that the relatives of the accused had tried to pressurize the prosecution witnesses not to tell the truth.

I am not going into the question whether this allegation made by the prosecution is right or not, but the least which was expected of the petitioner while filing the bail application was to have disclosed all facts to the Court.

Therefore, the bail application is dismissed.