

30.09.2020
Court No. 16
Item No.8
(D/L)
abhar/bdatta

CRM 7122 of 2020
in
CRAN 1 of 2020
(Via Video Conference)

In Re: An application for Bail under Section 439 of the Code of Criminal Procedure in connection with Khargram P. S. Case No. 346 of 2019 dated 26.11.2019 under Sections 302/379/411/34 of the Indian Penal Code.

and

In the matter of: Parvin Khatun @ Nasima Bibi

..... Petitioner

Mr. Golam Mostafa.

.....for the Petitioner

Mr. Saibal Bapuli.

Ms. Sayanti Santra

..... for the State

The learned advocate for the petitioner undertakes to affirm and stamp the petition/application as per Rules within 48 hours of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up.

The application being CRAN 1 of 2020 is accordingly disposed of.

Although the second application for bail has been filed before this Court but astonishingly it is averred in the application that the instant application is a maiden one.

Our attention is drawn by the learned advocate appearing for the State that the earlier application for bail filed by the petitioner being C.R.M. 3029 of 2020 was dismissed by this Court on 21st April, 2020.

There is a gross suppression of material facts as we do not find any reflection of the earlier application for bail filed by the petitioner. We have further perused the documents made available to us and the role of the petitioner to the alleged offence, we do not find that it is a fit case where the petitioner should be enlarged on bail.

Since the petitioner has been found guilty of gross suppression of material facts, the instant application being C.R.M. 7122 of 2020 is dismissed with costs assessed at Rs. 10,000/- to be deposited with the State Legal Services Authorities within fortnight from date. Such amount, if deposited, shall be kept in a separate account earmarked for 'juvenile'.

In default of deposit of the costs, the State Legal Services Authorities shall recover the same under the Public Demand and Recovery Act as land revenue and they are entitled to realise the costs incurred for the same in addition to the amount, as indicated above.

(Subhasis Dasgupta, J)

(Harish Tandon, J.)