

29.09.2020
Court No. 8
Item No.14
(D/L)
abhar/bdatta

CRM 7189 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 Beliatore P. S. Case No. 83 of 2019 dated 07.11.2019 under Sections 302/120B of the Indian Penal Code.

and

In the matter of: Ajoy Mandal @ Ajay Mondal & Anr.

..... Petitioners

Mr. Anisur Rahaman.

.....for the Petitioners

Mr. Sudip Ghosh.

Mr. Bitasok Banerjee.

..... for the State

The learned advocate for the petitioners 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.

The learned advocate for the petitioners moves the application for bail with a categorical statement that before the instant application, the petitioners have not moved any application for bail before this Court. It is further submitted that the petitioners are in custody for 327 days and, therefore, should be released on bail.

The learned advocate appearing for the State hands over a copy of the order dated 14th September, 2020 passed in C.R.M. 6422 of 2020 by the co-ordinate Bench rejecting the application for bail filed by the petitioners being the applicants therein.

There is apparent suppression of the fact that the earlier application for bail filed by the petitioners was rejected on 14th September, 2020. Within four days from the said order, the

instant application has been filed and we do not find any changed circumstances warranting any interference in the instant case.

We cannot permit the litigants to move out of the Court's corridor with an ease even after attempting to secure an order in successive applications filed in the docket of the Court.

The application for bail being C.R.M. 7189 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 such deposit, put up this matter for Further Order .

Let a copy of the order dated 14th September, 2020 passed in C.R.M. 6422 of 2020 be kept on record.

(Hiranmay Bhattacharyya, J)

(Harish Tandon, J.)