

24.11.2021
Serial no. 647
Dd

(Through Video Conference)

CRM 5001 of 2021

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Chanchal** Police Station Case No. **438 of 2020** dated **02.06.2020** under **Sections 302/34** of the Indian Penal Code (**GR Case No. 1049 of 2020**).

-And-

In the matter of : Asma Bibi

... ..Petitioner

Mr. Sourav Chatterjee,
Mr. Aditya Tiwari, Advocates
... .. For the Petitioner

Mr. Swapan Banerjee,
Ms. Purnima Ghosh, Advocates
... ...For the State

Petitioner seeks bail.

Learned advocate appearing for the State draws the attention of the Court to the fact that the petitioner applied for bail earlier by way of CRM 7758 of 2020 which was rejected on November 17, 2020. Petitioner suppressed such material fact in the petition.

In the first paragraph, the petitioner claims that this is the first petition for bail.

There is an order dated November 17, 2020 passed in CRM 7758 of 2020 which is the earlier application for bail. The earlier application for bail was rejected on November 17, 2020.

The petitioner is guilty of suppression of material fact.

In such circumstances, we deem it appropriate to dismiss the present petition with costs assessed at

Rs. 10,000/- to be paid by the petitioner to the West Bengal Legal Services Authority, Kolkata.

It is clarified that any subsequent petition for bail, if made by the petitioner, must be accompanied by documentary evidence of payment of costs awarded herein.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)