

04.02.2022

Sl. 39

Court No.29

sourav

(Rejected)

C.R.M. (DB) 196 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **19.01.2022** in connection with **Chapra** P.S. Case No. **243** of **2021** dated **16.06.2021** under Sections **341/323/307/302** of the Indian Penal Code.

In the matter of: **Abbasuddin Sk.**

....petitioner.

Mr. Goutam Mishra

Mr. Nilendra Narayan Ray

...for the Petitioner.

Mr. Neguive Ahmed

Mr. Trina Mitra

...for the State.

Petitioner seeks bail.

The averment in the first paragraph of the petition is that the petitioner did not approach this Hon'ble Court earlier.

Learned advocate appearing for the State draws the attention of the Court to the fact that one earlier application for bail being CRM (DB) 18 of 2022 was rejected by this Hon'ble Court on January 27, 2022. The petitioner is guilty of suppression of material facts.

The averment in the first paragraph of this petition is that no earlier application for bail was made before this Court. It appears from the records that the petitioner approached this Hon'ble Court in CRM (DB) 18 of 2022 which was dismissed on January 27, 2022.

The petitioner is guilty of suppression of material facts.

The State will initiate proceedings inter alia under Section 340 as against the deponent of the present petition.

Since the petitioner misled the Hon'ble Court, mere rejection of the prayer for bail will not be sufficient in the interest of justice. In order to arrest this propensity to mislead Court, it would be appropriate to direct custodial trial of the petitioner.

Accordingly **C.R.M. (DB) 196 of 2022** is disposed of.

All the parties are directed to act on the basis of the learned advocate's communication.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

