

03.02.2022

Serial no.64

Dd

CRM (DB) 302 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Deganga** Police Station Case No. **973** of **2015** dated **29.10.2015** under **Sections 363/365/373** of the Indian Penal Code and **6** of POCSO Act, 2012.

-And-

In the matter of : Mosaraf Laskar @ Raju
... ..Petitioner

Mr. Ashok Kumar Chowdhury, Advocate
... .. For the Petitioner

Mr. Rudradipta Nandy, Advocate
... ..For the State

Learned advocate appearing for the State draws the attention of the Court to the averments made in the first paragraph of the petition and submits that the petitioner is guilty of suppression of material facts. He submits that this is the fourth application for bail. Earlier three applications were made before this Hon'ble Court and were rejected. The petitioner suppressed such facts deliberately.

The averment in the first paragraph of the petition is that the petitioner is moving the bail application before this Hon'ble Court for the first time. Such averment is false and false to the knowledge of the petitioner and the deponent verifying the affidavit of the petitioner.

Considering the gravity of the offence and the conduct of the petitioner in trying to mislead the Hon'ble Court, we deem it appropriate to not only reject the prayer for bail but also direct custodial trial of the petitioner.

CRM (DB) 302 of 2022 is, accordingly, **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)