

23.03.2022
Serial no. 57
[Dd]
(Anticipatory bail
Rejected)

CRM (A) 907 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Ketugram** Police Station Case No. **75** of **2021** dated **21.02.2021** under Sections **302/120B** of the Indian Penal Code. (GR Case No. **171/2021**)

-And-

In the matter of : **Abu Taher**

... ..**Petitioner**

Mr. Imtiaz Ahmed
Mr. G. Firdaus,
Mr. Mufakkerul Islam,
Mr. Shaila Afrin
Sk. Saidullah,
Mr. Shibashish Banerjee, Advocates
... .. For the Petitioner

Mr. Neguive Ahmed, Id. APP
Ms. Trina Mitra, Advocate
... ..For the State

Petitioner seeks not to press the application.

The application was taken up for consideration yesterday when it was pointed out on behalf of the learned Additional Public Prosecutor that there is a suppression of material fact in the application. The petitioner approached this Hon'ble Court for anticipatory bail by way of CRM 7407 of 2021 dated December 17, 2021, which was rejected.

This fact was drawn the attention of the learned advocate for the petitioner yesterday. Adjournment was sought for on behalf of the petitioner which was granted.

In such circumstances, the prayer for not pressing the application cannot be accepted.

In view of the conduct of the petitioner in suppressing the material fact and trying to obtain an order

anticipatory bail on such basis, the petitioner should be put on terms.

It would be appropriate that the petitioner pays costs assessed at Rs.1,00,000/- to the West Bengal State Legal Aid Services Authority, Kolkata. No further application for anticipatory bail or for bail will be entertained till such time the same is accompanied by documentary evidence of document of payment of such costs.

Prayer for anticipatory bail of the petitioner is **rejected**.

CRM (A) 907 of 2022 is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)