

15.03.2022
Sl. 58
Court No.29
sourav
(Rejected)

C.R.M. (DB) 712 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **10.03.2022** in connection with **Lake Town** P.S. Case No. **174** of **2021** dated **21.07.2021** under Sections **302/380** of the Indian Penal Code.

And

In the matter of: **Indra Pal Tara Chandra Jatav**

....petitioner.

Mr. Saibal Bapuli
Mr. Bibaswan Bhattacharya

...for the State.

None appears for the petitioner even in the second call.

Learned advocate appearing for the State draws the attention of the Court to the averment made by the petitioner in the first paragraph of the petition. He submits that although the petitioner claims in such averment that the petitioner never moved any bail application before this Hon'ble Court and that the present bail application being the first one, the petitioner approached this Hon'ble Court for bail in **CRM 8000 of 2021** which was rejected on January 3, 2022. He submits that the petitioner is guilty of suppression of material facts.

In the first paragraph of the petition, the petitioner states that the petitioner never moved any bail application earlier before this Hon'ble Court and that the present petition is the first petition at his behest. However, the record depicts that the petitioner approached this Hon'ble Court for bail in **CRM 8000 of 2021** which was rejected on January 3, 2022.

The petitioner being guilty of suppression of material facts is required to be visited with consequences.

In such circumstances, in view of the petitioner attempting to mislead this Hon'ble Court by making a statement

which within the knowledge of the petitioner was false to obtain an order for bail, we deem it appropriate that the petitioner should undergo custodial trial.

In any event, there is hardly any material change in circumstances subsequent to the earlier order of rejection dated January 3, 2022 to grant bail to the petitioner.

Accordingly, **C.R.M. (DB) 712 of 2022** is rejected.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

