

16.03.2022

Sl. 22
Court No.29
sourav
(Rejected)

C.R.M. (A) 1261 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **11.03.2022** in connection with **English Bazar** P. S. Case No. **475** of **2020** dated **08.06.2020** under Sections **498A/323/325/307/506/34** of the Indian Penal Code.

And

In the matter of: **Shanti Harizan @ Santi Hazijon & Ors.**

....petitioners.

Mr. Arnab Saha

...for the petitioners.

Mr. Tanmoy Kumar Ghosh

Mr. Arindam Sen

...for the State.

Petitioners seek anticipatory bail.

Learned advocate appearing for the State submits that the petitioners are guilty of suppression of material facts. He draws the attention of the Court to the averments made in the first paragraph of the petition where the petitioners claim that they never approached this Hon'ble Court for the same relief as prayed for herein. He submits that the prayer of the petitioner no. 1 for anticipatory bail was rejected on March 7, 2022 in **CRM (A) 1083 of 2022**.

It appears from the record made available to Court that the first petitioner along with others approached this Hon'ble Court for anticipatory bail in **CRM (A) 1083 of 2022** which was rejected on March 7, 2022. The other petitioners therein were granted anticipatory bail. The present petition was filed on March 11, 2022.

In view of the petitioners making a false statement on oath before this Hon'ble Court and trying to mislead this Hon'ble Court and obtain orders for anticipatory bail, we are of the view that the petitioners should be visited with consequences.

In view of the prayer of the first petitioner being rejected on

March 7, 2022 in **CRM (A) 1083 of 2022**, it would be appropriate to direct impose costs of Rs. 1 lakh on the petitioners. They are liable jointly and severally for such costs. No application for anticipatory bail or bail need be entertained if sought to be filed by any of the petitioners herein without documentary evidence in payment of the costs of Rs. 1 lakh to the West Bengal State Legal Services Authority, Kolkata being produced along with such application.

Considering the gravity of the offence and the involvement of the petitioners therein, we are unable to grant anticipatory bail to the petitioners.

Accordingly, the prayers for anticipatory bail of the petitioners are rejected.

C.R.M. (A) 1261 of 2022 is, thus, dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

