

30.03.2022
Serial no.51
Aloke
Ct. No. 29

CRM (NDPS) 294 of 2022

In re: An Application for bail under Section 439 of the Code of Criminal Procedure.

-And-

In the matter of : **Mahitosh Halder @ Mohitosh Halder**
@ Chor Babu

... ...Petitioner

Mr. Dipayan Kundu, Advocate

... ... For the Petitioner

Mr. N.P. Agarwala, Advocate

Mr. Saryati Datta, Advocate

... ... For the State

Affidavit as called for by the order dated March 21, 2022 filed in Court is taken on record.

In the affidavit, it is claimed that there was an inadvertent mistake in not disclosing the earlier order of rejection of the prayer for bail passed by this Hon'ble Court. There is not explanation as to why the earlier order was suppressed before this Hon'ble Court. The deponent of the petition for bail is the father of the accused. He knew of the earlier order of rejection of bail.

Considering the gravity of the offence and the involvement of the petitioner and considering the fact that the petitioner tried to obtain an order from this Court by suppressing material facts, we are of the view that the petitioner should undergo custodial trial.

CRM (NDPS) 294 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)