

04.01.2022

Serial no. 40

Dd

(Through Video Conference)

CRM 8877 of 2021

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Kaliachak** Police Station Case No. **499** of **2020** dated **01.07.2020** under Sections **21C/29** of the Narcotic Drugs & Psychotropic Substances Act.

-And-

In the matter of : Niranjan Roy & Anr. Petitioners

Mr. Ziaul Haque, Advocate
... .. For the Petitioners

Mr. Sanjoy Bardhan
Ms. Baishakhi Chatterjee, Advocates
... ..For the State

Petitioners seek bail.

Learned advocate appearing for the State draws the attention of the Court to the first paragraph of the bail petition. He submits that although the petitioners contend that this is the first application for bail before this Hon'ble Court, the petitioners individually approached this Court on two previous occasions and that their applications were rejected by the Court.

It appears from the records that the petitioner no. 1 approached this Court for bail by CRM 10285 of 2020 which was rejected on December 11, 2020. The petitioner no. 2 approached this Court for bail by CRM 9731 of 2020 which was rejected on December 17, 2020.

There is a deliberate false statement in the first paragraph of the petition. It is claimed that the present

application is the first application for bail. Such false statement was made knowing the same to be false.

In the circumstances, the State will initiate proceedings under Section 340 against the person affirming the affidavit verifying the petition.

In view of the conduct of the petitioners as noted above it would be appropriate to direct custodial trial of the petitioners.

CRM 8877 of 2021 is disposed of accordingly.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)