

18.01.2023

Sl.9

Court No.29

(AD)

(disposed
of)

C.R.M. (A) 150 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chandannagore** Police Station Case No.**197 of 2021** dated **06.09.2021** under Sections **341/354B/376AB/506/34** of the Indian Penal Code, 1860, and Sections **4 and 6** of the Protection of Children from Sexual Offences Act, 2012 , corresponding to its S.C. (Spl) Case No.74 of 2021, which has been charge sheeted.

And

In the matter of: **Alok Pramanick**

....petitioner.

Mr. Balaram Pandit

...for the petitioner
(Through Video Conference).

Mr. Shiladitya Banerjee

...for the State.

Petitioner renews the prayer for anticipatory bail.

Given the nature of the police case, petition for anticipatory bail was not maintainable in view of the provisions of Section 438(4) of the Code of Criminal Procedure.

The previous application for anticipatory bail was moved before this Hon'ble Court and withdrawn as not pressed on May 19, 2022.

This fact is suppressed in the present application.

The petitioner approached the jurisdictional Court for anticipatory bail also subsequent to the withdrawal of the application for anticipatory bail before this Hon'ble Court.

In view of such conduct of the petitioner, particularly in view of the petitioner suppressing the material fact before this Hon'ble Court in the present application, it would be appropriate to put to the petitioner on terms.

In such circumstances, the petitioner will pay costs assessed at Rs.50,000/- to the State Legal Services Authority, Kolkata as a

condition precedent for approaching any Court for grant of bail.

C.R.M. (A) 150 of 2023 is disposed of accordingly.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)