

15.06.2023
SL No.44
Court No.1
(gc)
(Rejected)

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

CRM (A) 401 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Jaigaon Police Station Case No.119 of 2023, dated 04.05.2023 under Sections 195A/506 of the Indian Penal Code.

And

In the matter of : **Sri Sourav Ekka @ Saurav**

- Petitioner.

Mr. Kalipada Das,

... For the Petitioner.

Mr. Sagnik Sankar Sikdar,

... For the State.

1. The learned Counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated.
2. The learned Counsel for the State in opposing the prayer for anticipatory bail submits that the conduct of the petitioner is reprehensible and the petitioner in suppressing the order passed by a Coordinate Bench on 8th February, 2023 in CRM (DB) 70 of 2023 obtained a bail from the Trial Court and on that basis started intimidating the witness. Thereafter once the attention of the Trial Court was brought to the order dated 8th February, 2023, the bail was cancelled and since then the petitioner is absconding. It is a clear case of suppression of fact and

the conduct of the petitioner is contumacious. There is no explanation offered for not disclosing the order dated 8th February, 2023 before the Trial Court.

3. Under such circumstances, we do not find any reason to grant anticipatory bail to the petitioner.
4. Accordingly, the application for anticipatory bail is dismissed with cost assessed at Rs.10,000/- to be paid to the S.L.S.A., High Court at Calcutta.
5. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court

(Raja Basu Chowdhury, J.)

(Soumen Sen, J.)