

06.02.2024
DL-5
Court No.29
(AD)
(Disposed
of)

C.R.M. (A) 365 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **English Bazar** Police Station Case No.**874 of 2023** dated **04.06.2023** under Sections **363/365** of the Indian Penal Code, 1860.(G.R. Case No.3500 of 2023).

And

In the matter of: **Maimur Sekh @ Sk**

....petitioner.

Mr. Mazahar Hossain Chowdhury

... for the petitioner.

Mr. Rudradipta Nandy, Ld. APP

Ms. Eshita Dutta

... for the State.

Learned Advocate appearing for the petitioner seeks leave to withdraw the petition.

Learned Advocate appearing for the State draws the attention of the Court to an order dated February 2, 2024 passed in CRM(A) 5451 of 2023.

CRM(A)5451 of 2023 was at the behest of the same petitioner and he was granted anticipatory bail by the order dated February 2, 2024.

The present petition was filed on January 31, 2024.

In the present petition, the petitioner states that he did not prefer any application before this Court or any other concerned Court seeking similar relief.

The present petition is affirmed by the petitioner himself.

Petitioner made a false statement in paragraph 1 of the present petition knowing the same to be false. He filed an earlier application for anticipatory bail and obtained an order thereof.

Police will, therefore, proceed against the petitioner for making false statement on Oath before Court knowing the same to be false. Such police complaint be registered forthwith.

Since the petitioner is trying to mislead the Court

dismissing the present petition without anything else will not enure to the interest of justice.

In such circumstances, we impose costs assessed at Rs.1 lac (Rupees One Lac) upon the petitioner to be paid to the West Bengal State Legal Services Authority, Kolkata within seven days from date.

Petitioner will deposit documentary proof of payment of such costs with the Investigating Officer within seven days from date.

In the event of default, the Investigating Officer will inform the jurisdictional District Magistrate under whose jurisdiction the petitioner claims to be residing, for initiation of proceeding for recovery of the costs awarded from the petitioner, as arrears of land revenue.

State is requested to draw the attention of the jurisdictional Court as to this order.

Jurisdictional Court is requested to ensure that the costs imposed is realized from the petitioner.

C.R.M. (A) 365 of 2024 is disposed of accordingly.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)