

06.08.2024

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C.R.M. (SB) 104 of 2024

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973/ Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Taherpur Police Station Case No. 211 dated December 19, 2020 under Sections 447/354/506 of the Indian Penal Code read with Section 12 of the Protection of Children from Sexual Offences Act.

And

In Re : **Santanu Dhar @ Raja**

... Petitioner.

Mr. Navanil De
Ms. Monami Mukherjee

... For the Petitioner.

Mr. Arijit Ganguly
Mr. Koushik Kundu

... For the State.

The petitioner seeks bail.

It appears that identical petitions were filed by the petitioner before the Hon'ble Division Bench of this Court which were turned down on merit vide order passed on 1st April, 2022 in CRM (DB) 867 of 2022 and order dated 27th March, 2023 in CRM (DB) 1122 of 2023.

Learned counsel for the petitioner submits that the bail petition ought to be dealt with by the Single Bench and not the Division Bench.

Be that as it may, since both the Hon'ble Division Benches have dealt with the matter on merit and turned down the prayer of the petitioner, it shall not be appropriate for this Court to deal with the matter on merit in view of judicial propriety.

The application for bail being CRM (SB) 104 of 2024 is dismissed.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)