

10.03.2025
Serial no. 44
[Dd]

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Sankrail** Police Station Case No. **404** of **2024** dated **31.05.2024** under Sections **498A/306/406** of the Indian Penal Code, 1860.

-And-

CRR/979/2025
THE HONBLE COURT IN ITS OWN MOTION
VS.
JAHAR BHAKTA
in
CRM (DB)/3985/2024

JAHAR BHAKTA
VS
THE STATE OF WEST BENGAL

Mr. Sumanta Ganguly,
Sk. Toslim Ali, Advocates
... ... For the Petitioner

Mr. Adil Badr, Id. Junior Govt. Adv.
Mr. Sachit Talukdar, Advocate
... ... For the State

1. Rule against the petitioner was issued on February 24, 2025 after noticing that, the petitioner obtained bail from the jurisdictional Court after filing of the present application for bail.
2. Petitioner is represented.
3. Record establishes that the petitioner applied for bail before the High Court by way of present application. Subsequently suppressing such fact, obtained bail from the learned jurisdictional Court on November 27, 2024 passed in ST No. 239 of 2024.

4. Record does not establish that the petitioner before us drew the attention of the Court to the fact that, there is an application for grant of bail pending before the High Court.
5. Justification of such conduct of the petitioner before us is that, the present application was filed after the mother of the petitioner obtained the vakalatnama from the correctional home where the petitioner was lodged. The subsequent application was made through the Legal Aid before the jurisdictional Court.
6. We are not in a position to accept such justification given the conduct of the petitioner. Petitioners obtained bail by making a false statement to the learned jurisdictional Court.
7. It would be appropriate to cancel the bail granted by the jurisdictional Court on November 27, 2024. Such bail is cancelled.
8. Petitioner before us will surrender before the jurisdictional Court within 7 days from date. Needless to say that the petitioner can apply for bail, in accordance with law.
9. CRR/979/2025 is, therefore, discharged.
10. CRM (DB)/3985/2024 is **disposed of** accordingly.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)