

04
07.05.2025
Ct.No.34
b.das
Dismissed

C.R.M. (DB) 908 of 2025

In Re : An application for bail under Section 483 of BNSS, 2023 filed in connection with Ghola Police Station Case No.277 of 2024 dated 12.09.2024 under Sections 310(2)/319(2) of BNS, 2023.

And

In Re : **Aman Mallick** ... Petitioner.

Mr. Habibur Rahaman
Mr. Archisman Singh ... for the petitioner.

Ms. Z.N. Khan
Mr. Sharequl Haque ... for the State.

The petitioner seeks bail.

Learned counsel for the State produces a copy of order passed by the learned Additional Sessions Judge, 1st Court, Barrackpore on 21st March, 2025 being CRM 141 of 2025 wherefrom it appears that during pendency of the present bail application, the petitioner moved a bail application before the learned trial Court upon suppressing the pendency of the present bail application before this Court.

In fact, it is recorded in the order no bail application is pending or has been rejected by the higher forum.

The petitioner succeeded in obtaining bail from the learned trial Court despite pendency of identical application before this Court. Such conduct of the petitioner amounts to suppression of material facts and abuse of the process of law which is seriously deprecated.

Learned counsel for the State has also produced copy of this bail application furnished to the State by the petitioner wherein extract of part of the CD is pasted. Learned counsel submits that this part of the CD is received by the learned counsel from the investigating officer and the petitioner has no scope of receiving such copy prior to supply of copy to him under Section 207 of the Code of Criminal Procedure.

Such conduct of the petitioner is not only deplorable but dangerous. The bail granted to the petitioner needs to be cancelled forthwith considering the desperate and dishonest nature and conduct of the petitioner.

Learned counsel for the State is requested to file an application seeking cancellation of bail of the petitioner which shall be considered in the light of the observation made in this order. The DC,DD, Barrackpore Commissionerate is directed to take necessary steps in this regard at the earliest.

In view of the above, the application for bail is dismissed.

Case diary be returned.

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

(Suvra Ghosh, J.)