

**S. C. No. 36 of 2011**

Order No. 102

**dated 23.03.2022 :-**

Today is fixed for production and hearing of the bail petition dated 16.03.2022

Accused Chotka Mallick is produced from J/C and placed on dock.

Ld. Spl. P.P. is present.

Ld. Defence Counsel is also present.

CD has also been produced.

The bail petition is taken up for hearing.

It is submitted by the Ld. Defence Counsel that the accused person was granted bail on 21.10.2020. It is also submitted that due to pandemic situation there was miscommunication about the date, the accused person was absent on earlier occasions and for that reason W/A was issued on 17.12.2021 and he was produced afresh before this court on 08.03.2022 under arrest and since then he is in custody. He further submits that the accused person has fixed place of residence and as such there is no chance of his absconsion and prays for his enlargement on bail under any terms and conditions.

Ld. Spl. P.P., on the other hand, raises strong objection categorically stating that the accused was on bail and he misused the privilege of bail. It is further submitted that there is every chance of further absconsion and tampering the evidence if he is enlarged on bail.

Perused the case record and the CD and on perusal of the same I find that the accused person was on bail and he misused the liberty of bail and since long he did not appear before the court and as such W/A was issued against him on 17.12.2021 and he was produced afresh before this court on 08.03.2022 under arrest. I also find that the proceeding of this case will be hampered if he is further enlarged on bail and considering this, I am of the view that the bail can not be granted to the accused person and hence the bail prayer stands **rejected**.

Fix **29.04.2022** for production and further evidence.

CD be returned.

D/C by me :

Addl. Dist. & Sessions Judge,  
Bench – II  
**JO Code No. WB01248**