

C.R.M. 113 of 2019

Re : An application for bail under section 439 of the Code of Criminal Procedure, 1973.

In the matter of : **1. Sishu Pal @ Sisupal @ Raju**
2. Md. Khairul
3. Md. Sarifuddin @ Md. Sarfuddin
4. Mastan Munna

..... petitioners

Mr. Anirban Banerjee

.....for the petitioners

Mr. Sourav Ganguly

Mr. Aniruddha Biswas

..... for the State

The petitioners seek bail in connection with Jalpaiguri Police Station F.I.R. No. 930 of 2018 dated 22nd December, 2018 under Section 392 of the Indian Penal Code and added Sections 395/412 thereof.

We have heard learned advocates for the parties and perused the materials in the case diary. It appears that the petitioners 1,2 and 3 are in custody for 102 days whereas the petitioner no. 4 is in custody for 35 days. It further appears that upon completion of investigation, police report (charge-sheet) under Section 173(2) of the Code of Criminal Procedure has been filed.

The materials in the case diary also reveal that on a particular night, attempts were made by the petitioners to commit the crime of robbery in three petrol pumps but they were successful in respect of two of them; cash was looted, and theft of fuel was committed

alongwith other articles. Investigation has revealed the complicity of the petitioners in the crime.

Despite the charge-sheet having been filed, we are not inclined to release the petitioners on bail at this stage and accordingly, C.R.M. 110 of 2019 is rejected.

(Shivakant Prasad, J.)

(Dipankar Datta, J.)