

08.09.2020
Court No.16
Sl. No. 10
GB

CRM 6310 of 2020
CRAN 1 of 2020
(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Malda P.S. Case No.**259** of **2020** dated **08.05.2020** under Sections **341/326/307/34** of the Indian Penal Code and Section **27** of the Arms Act.

And

In the matter of: **Monoj Ghosh.**

....Petitioner.

Mr. Arup Bhowmik.

...for the Petitioner.

Mr. M. Sur,
Mr. Aniket Mitra.

...for the State.

The petitioner undertakes to affirm and stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the Court. The petition is taken up through video conference on the basis of such undertaking.

The petitioner claims that the petitioner was an innocent bystander and the petitioner has been detained since the principal assailant appears to be absconding.

The State submits that the petitioner had a dispute with the survivor. The State says that the survivor received bullet injuries including one on his forearm as he tried to shield his head.

Though the petitioner says that he has been in custody for more than 120 days, considering the nature of the offence, the petitioner's immediate release may not be warranted.

CRM 6310 of 2020 and CRAN 1 of 2020 are disposed of.

(Sanjib Banerjee, J.)

(Moushumi Bhattacharya, J.)