

30.09.2020

Item No.5

Ct.No.11

dc.

Rejected

C.R.M. 6311 of 2020

C.R.A.N. 1 of 2020

(Through Video Conference)

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure in connection with Criminal Misc. Case No. 40 of 2020 arising out of Mahishadal P.S. Case No. 13 of 2020 dated 13.01.2020 under Sections 302/201/34 of the Indian Penal Code corresponds to G.R. No. 61 of 2020 wherein charge-sheet being No. 70/2020 dated 15.04.2020 has been filed under Sections 302/201/34 of the Indian Penal Code.

And

In the matter of : Mallika Das Samanta @ Mallika Das (Samanta)
... Petitioner.

Mr. Uttam Kumar Mazumder,
Mr. Bhaskar Seth ... For the Petitioner.

Mr. Saibal Bapuli,
Ms. Sayanti Santra ... For the State.

Petitioner undertakes to affirm and stamp the petition/application as per Rules within a month of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conferencing.

Learned advocate for the petitioner submits that the petitioner is in custody for about 252 days and the case has already been committed and all the accused persons are ready to face the trial. It is further submission of the learned advocate that the present petitioner is innocent of the

charges and considering the period of detention, the petitioner may be released on bail.

Mr. Bapuli, learned advocate appearing for the State draws the attention of this Court to the recovery of incriminating materials pursuant to the statement of the present petitioner.

We have appreciated the materials on record, more particularly the statement of the witnesses and the seizure which have been effected and having regard to the nature and gravity of the offence, we are not inclined to release the petitioner on bail at this stage when the stage of consideration of charge is not over. Accordingly, prayer for bail of the petitioner is rejected.

CRM 6311 of 2020 and CRAN 1 of 2020 are disposed of.

(Tirthankar Ghosh, J.)

(Samapti Chatterjee, J.)