

14.09.2020.
Item No. 18
(Rejected)

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C.R.M. 6462 of 2020
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I.A. No. C.R.A.N. 1 of 2020

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Chapra P.S. Case No. 365 of 2019 dated 19.11.2019 under Section 326/307/302/34 of the Indian Penal Code and Sections 3/4 of the Explosive Substances Act;

And

In the matter of : **Saheb Sk. and others.**

... petitioners.

Mr. Kusal Kr. Mukherjee.

...For the petitioners.

Mr. N. Ahmed, Ld. APP,
Ms. Amita Gour.

...For the State.

The learned Advocate-on-Record of the petitioners undertakes to affirm and stamp the petition/application as per the Rules within forty-eight hours of resumption of the normal functioning of the Court. Subject to such undertaking and urgency the application is taken up for hearing.

Accordingly, the interlocutory application being IA No. CRAN 1 of 2020 is disposed of.

The learned Advocate for the petitioners submits that the petitioner nos. 1 and 2 are in custody for 293 days and the petitioner no. 3 is in custody for 220 days. He further submits that since the present petitioners are in custody for a considerable period of time and the charge-sheet has already been submitted, further detention of the petitioners is unwarranted.

Mr. N. Ahmed, learned Advocate for the State, opposes the prayer for bail and submits that all the petitioners are intricately connected with the offence and the Post Mortem

report reflects the injuries and there have been supporting materials recovered from the possession of the petitioners.

We have taken into account the materials in the case diary, which included the statement under Section 161 of the Code of Criminal Procedure, the statement under Section 164 of the Code of Criminal Procedure as well as the seizure list and the Post Mortem Report.

Considering the nature and gravity of the offence and the alleged involvement of the petitioners, we are not inclined to release the petitioners on bail at this stage.

Accordingly, the application for bail being CRM 6462 of 2020 is **rejected**.

(Tirthankar Ghosh, J.)

(Harish Tandon, J.)