

06.10.2020.
Item No. SL-11

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C.R.M. 7404 of 2020
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C.R.A.N. 1 of 2020

(Via Video Conference)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Baishnabnagar P.S. Case No. 141 of 2020 dated 17.03.2020 under Sections 448/325/326/308/304/34 of the Indian Penal Code;

And

In the matter of : **Soma Das and others.**

... petitioners.

Mr. Arnab Saha.

...For the petitioners.

Mr. Rana Mukherjee,
Ms. Sujata Das.

...For the State.

The advocate-on-record for the petitioners undertakes to affirm and properly stamp the petition as per the rules within forty-eight hours of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The alleged offence is under Section 304 of the Indian Penal Code. The occurrence took place on 17th March 2020.

So far the police has been able to take petitioner nos. 1, 2 and 3 in custody. The petitioner nos. 1 and 2 are in custody for 117 days whereas the petitioner no. 3 is in such custody for 169 days.

The charge-sheet against them was submitted on 16th July 2020.

Mr. Mukherjee, learned advocate appearing for the State, submits that the other accused, belonging to the same family as the petitioners, are still at large and evading arrest.

Their arrest and custodial interrogation are absolutely necessary.

That is the reason why the charge could not be framed. The release of the petitioners would interfere with the apprehension of the other accused and further investigation.

In that view of the matter, we reject this application.

CRM 7404 of 2020 and the interim application filed therein are disposed of.

(I.P. Mukerji, J.)

(Hiranmay Bhattacharyya, J.)