

19.11.2020

Court No. 16
Item No. 28
nandy/biswas

CRM 7503 of 2020

with

CRAN 1 of 2020

(Via Video Conference)

(Bail – Disposed of)

In Re: An application for Bail under Section 439 of the Code of Criminal Procedure filed on 24.09.2020 in connection with Pradhan Nagar Police Station Case No. 438 of 2016 dated 06.11.2016 under Sections 285/286/120B of the Indian Penal Code read with Sections 4/5 of the Explosive Substances Act. (G.R. Case No. 4008 of 2016)

and

In the matter of: **Dawa Tshering Bhote @ Dawa Lama @ Dawa Gurung**

..... Petitioner

Mr. Deborshi Dhar, Advocate

.....for the Petitioner

Mr. Aditi Shankar Chakraborty, Ld. A.P.P.

Mr. Biswarup Ray, Advocate

.....for the State

The petitioner undertakes to affirm and stamp the petition as per the Rules within one week of resumption of the 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 has been falsely implicated in a matter pertaining to explosives.

The State refers to the massive stocks of explosives recovered from the petitioner. The petitioner also appears to be a citizen of Nepal.

Considering the quantum of recovery and the fact that the petitioner has no answer to the various questions raised, the present prayer for bail cannot be acceded to. It may also be noted that any lenience shown now will help the petitioner crossing back to his country with little chance of progress in the trial.

CRM 7503 of 2020 and the interim application therein are disposed of.

(Sanjib Banerjee, J.)

(Hiranmay Bhattacharyya, J.)