

19.10.2020
Item no. 07
Ct.12
FB/G. S. Das

C.R.M. No.7837 of 2020

(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Gaighata PS Case No. 209 dated the 01.04.2002 u/s 448/342/354/324/307/506 of the IPC r/w 25/27/28 of the Arms Act and subsequent Charge sheet no. 2 dated 09.01.2003 under Section 448/342/354/323/307/341 of the Indian Penal Code.

And

In the matter of:-

Bireswar Dhali

... Petitioner

Mr. Swapan Banerjee

Ms. Purnima Ghosh

..for the State

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

The petitioner was not represented on the earlier occasion. Although inadvertently the name of the Advocate for the petitioner was recorded by the Court Officer. Accordingly, the name of Mr. Subrata Karmakar appearing for the petitioner as recorded in the order dated 15.10.2020 shall be deleted.

On the earlier occasion Learned Counsel for the State submitted that the petitioner has criminal antecedents and he opposed the prayer for bail. Today, the order of the Learned Trial

Court dated 8th September, 2020 is produced wherefrom it appears that the matter is fixed for argument.

Considering the criminal antecedents of the petitioner and the fact that the petitioner is a life convict in other matters, we are not inclined to grant bail to the petitioner.

The application for bail is rejected.

CRM 7837 of 2020 is disposed of.

The instruction produced by the Learned Counsel for the State be kept with the record.

All parties shall act in terms of copy of this order downloaded from the official website of this court.

Urgent certified photostat copy of this order, if applied for, be supplied to the parties, subject to convenience with all requisite formalities.

(Abhijit Gangopadhyay, J.)

(Soumen Sen, J.)