

20.10.2020

CRM 8001 of 2020

COURT NO. 08
ITEM NO. 13
SNANDY

(BAIL - REJECTED)

In Re:- An application for bail under Section **439** of the Code of Criminal Procedure filed on 10.10.2020 in connection with Bowbazar Police Station Case No. 191 of 2020 dated 19.05.2020 under Sections 302/34 of the Indian Penal Code.

And

In the matter of : **S.K. Chand @ Chand**

...Petitioner

Mr. Sujit Saha, Advocate

...for the Petitioner

Mr. Sudip Ghosh, Advocate

Mr. Apurba Kumar Dutta, Advocate

...for the State

Petitioner undertakes to affirm and stamp the petition/application as per Rules within one month from date. Subject to such undertaking, the application is taken up for hearing.

Learned Advocate of the petitioner submits that the petitioner is innocent and has been falsely implicated in connection with the instant case. It is further submitted that he was staying in the campus of the Calcutta Medical College Hospital, Kolkata, as his baby was admitted therein for treatment. After discharge of the baby he left home and thereafter have been apprehended in connection with the instant case. It is further submitted that there is no other person to look after the baby than the petitioner.

The learned Advocate for the State opposes the prayer for bail. It is submitted that there is direct evidence unearthed during the investigation against the petitioner. It is further submitted that somebody videographed the entire episode and the statement of such person has been recorded. There are other witnesses who have also revealed the complicity of the petitioner in their statements recorded under Section 164 of the Code of Criminal Procedure.

Considering the submissions so advanced and upon perusal of the statements recorded under Section 164 of the Code of Criminal Procedure as well as the fact that the entire episode was videographed including the recording in the Close Circuit Television installed by the authorities at the said campus, we do not feel that it is

a fit case where the petitioner should be enlarged on bail. It also does not inspire us that the moment the chargesheet has been filed, no further custody of the petitioner is required.

Considering the gravity of the offence and the complicity of the petitioner to it, the prayer for bail is **rejected**.

The application being **CRM 8001 of 2020** is thus **dismissed**.

(Ravi Krishan Kapur, J)

(Harish Tandon, J)