

20.10.2020  
DL No.21  
Court No.12  
Avijit Mitra

**CRM 8128 of 2020**

**(Through Video Conference)**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Jadavpur** P.S. Case No.**398/2019** dated **05.11.2019** under Sections **394/397/34** of the Indian Penal Code.

And

In the matter of: **Samrat Mondal**

....Petitioner.

Mr. Pinaki Bhattacharya,  
Mr. Ramashis Mukherjee,  
Mr. Debjyoti Maity

...for the Petitioner.

Mr. Madhusudan Sur

...for the State.

The learned counsel for the petitioner submits that he has been falsely implicated and his name transpired from the statement of a co-accused which is inadmissible evidence.

It is submitted that the petitioner is no way connected in the commission of the alleged offence.

Learned counsel for the state opposes the prayer for bail and submits that the petitioner is directly involved in the commission of the offence and he has been duly identified during T.I. parade.

Having considered the statement of the witnesses recorded under Section 161 of the Code of Criminal Procedure and that he was identified in the T.I. parade, we are not inclined to grant bail to the petitioner at this stage.

In view thereof, we request the trial court to expedite the trial.

The application for bail being CRM 8128 of 2020 is rejected.

All parties are to act on a website copy of this order on the usual undertaking.

**(Aniruddha Roy, J.)**

**(Soumen Sen, J.)**