

18.11.2020

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**CRM 8844 of 2020
(Via Video Conference)**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliachak P.S. Case No.258 of 2014 dated 08.04.2014 under Sections 395/397 of the Indian Penal Code.

And

In the matter of: **Enamul Sekh.**

....Petitioner.

Mr. Soumya Basu Roy Chowdhury

...for the Petitioner.

Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan

...for the State.

The petitioner undertakes to affirm and stamp the petition as per the Rules within one week of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The petitioner submits that merely because the petitioner missed attending the trial on one day, the bail previously granted by this court was cancelled by the trial court.

There does not appear to be any worthy explanation for the petitioner's absence during the relevant date at the trial. Further, the material against the petitioner as relied upon by the State appears to be pointing towards the petitioner's guilt. Some of the stolen articles are said to have been recovered from the petitioner's residence.

Considering the entire conspectus, the petitioner's prayer for bail cannot be acceded to, particularly since the petitioner was even identified in course of the test identification parade.

CRM 8844 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)