

10.11.2020
Item No. 31
Ct. No. 8
SB

CRM 9045 of 2020

In Re : An application for bail under Section 439 of the Code of Criminal Procedure in connection with Uluberia P.S. Case No. 93 of 2020 dated 09.03.2020 under Sections 341/506/324/325/302/34 of the Indian Penal Code.

In the matter of : Biplab Ghosh

Mr. Tanmay Chowdhury ... for petitioner

Mr. Swapan Banerjee
Mr. Suman De ... for State

Petitioner undertakes to affirm and stamp the petition as per the Rules within 48 hours of resumption of normal functioning of Court. The petition is taken up through video conference on the basis of such undertaking.

Learned advocate appears on behalf of petitioner and submits, there was an incident on the highway on festival day of 'Holi'. The victim was assaulted and succumbed. Case was started against unknown persons. Suddenly out of blue his client's name was inserted as accused. There is no prima facie evidence against his client. He should be enlarged on bail on any condition.

Mr. Banerjee, learned advocate, Senior Government Advocate appears for State and hands up case diary. He draws attention to statement by witness made under section 164 of the Code of Criminal Procedure.

Perused the case diary and statement, prima facie appreciation of which points to involvement of petitioner in the incident resulting in death. We are not inclined to grant bail to petitioner.

The application for bail is rejected.

The application being C.R.M. 9045 of 2020 is disposed of.

(Arindam Sinha, J.)

(Md. Nizamuddin, J)