

06.01.2021

Item no.24

Ct.5

CHC

Rejected

C.R.M. No.61 of 2021

(Physical Hearing)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Regent Park Police Station Case No. 128 of 2020 dated 20.06.2020 under Section 302 of the Indian Penal Code and under Sections 25(1B)(a)/27 of the Arms Act.

And

In the matter of:-

Joyanta Halder @ Rakesh Halder

... Petitioner

Mr. G. K. Das,
Mr. K. C. Sahoo,
Mr. S. K. Mondal,
Ms. B. Mondal

.. for the petitioner

Mr. Nequive Ahmed, Ld. A.P.P.
Mr. Anwar Hossain,
Ms. Amita Gaur

..for the State

This is to consider the prayer for bail.

Learned advocate for the petitioner seeks bail taking the ground of long detention of 200 days. It is submitted that the charge-sheet has been submitted requiring no further detention of the accused person.

Learned Additional Public Prosecutor, Mr. Ahmed raises objection referring to the statement of witnesses recorded under Section 164 Cr.P.C. together with the Post Mortem Report.

Our attention is drawn to the P.M. Report. Deceased victim suffered gun shot death together with other injuries. The fire arm has since been recovered.

Having considered the submissions of the both sides in context with the materials already collected in the C.D. and bearing in mind the sufficiency of materials transpiring direct involvement of the petitioner, shown in the statement recorded under Section 164 Cr.P.C. of the witnesses, we are not in favour of granting bail to the petitioner at this stage.

The prayer for bail stands refused.

Since charge-sheet has been submitted in this case, we feel it convenient to request the learned trial court to expedite the trial subject to his convenience.

C.D. be returned.

CRM 61 of 2021 stands disposed of.

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

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

(Subhasis Dasgupta, J.)

(Subrata Talukdar, J.)

