

18.01.2021

Item No.7

Ct.No.28

dc.

Rejected

C.R.M. 113 of 2021

(Via Video Conference)

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure.

And

In the matter of : **Sk. Asmir**

... Petitioner.

Mr. Soupal Chatterjee

... For the Petitioner.

Mr. Rana Mukherjee,
Mr. Santanu Chatterjee

... For the State.

Mr. Abdur Rakib,
Mr. Jnip Bose

... For the *de facto* complainant.

The present application under Section 439 of the code of Criminal Procedure has been preferred by the petitioner in connection with Harishchandrapur P.S. Case No. 402 of 2011 dated 10.12.2011 under Sections 302/34 of the Indian Penal Code (G.R.No. 4597 of 2011).

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated and he is in custody for about 89 days. As there are no incriminating materials against him, further detention of the petitioner is not necessary.

The learned advocate appearing for the State opposes the petitioner's prayer.

Having heard the learned advocates and considering the materials in the case diary and as the petitioner seems to have been absconding since the year 2011 and was arrested on 22.10.2020, we are not inclined to grant bail to the petitioner at this stage.

The application for bail, being CRM 113 of 2021, is, thus, rejected.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)