

15.01.2021
Item no.23
Court No.28
Avijit Mitra

C.R.M. 302 of 2021 (via video conferencing)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure;

And

In Re :Biswajit Garai alias Bishwajit Gorai

.... petitioner

Mr. Niladri Sekhar Ghosh,

Ms. Srimoyee Mukherjee

....for the petitioner

Ms. Sukanya Bhattacharyya,

Md. Kutubuddin

..... for the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Pursurah Police Station Case No.292 of 2019 dated 30.12.2019 under Sections 498A/307/328/34 of the Indian Penal Code.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for more than 360 days. Upon completion of investigation, charge sheet has been filed and as such, further detention of the petitioner is not necessary. The petitioner's father and mother have already been enlarged on bail.

Learned advocate appearing for the State opposes the petitioner's prayer for bail.

Having heard the learned advocates and considering the materials in the case diary, the injury report, the medical documents and the extent of complicity of the petitioner in the alleged offence, we are not inclined to grant bail at this stage.

The application for bail being C.R.M. No.302 of 2021 is dismissed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)