

15.01.2021
Item No.38
Ct.No.28
dc.
Rejected

C.R.M. 346 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 : Laxmi Kanta Malik @ Laxmi Kanta Malick
... Petitioner.

Mr. Anindya Ghosh,
Mr. Pronojit Roy ... For the Petitioner.

Mr. Rana Mukherjee,
Ms. Sujata Das ... For the State.

The present application under Section 439 of the code of Criminal Procedure has been preferred by the petitioner in connection with Panchla P.S. Case No. 321 of 2019 dated 13.12.2019 under Sections 341/302/34 of the Indian Penal Code, 1860 (G.R. Case No. 5835 of 2019).

The learned advocate appearing for the petitioner submits that the petitioner has not been named in the FIR and he has been falsely implicated in the criminal proceedings. The learned advocate further submits that one co-accused has already been enlarged by this Court and another co-accused has been enlarged by the learned sessions court. Upon completion of investigation, charge-sheet has also been filed and as such further detention of

the petitioner, who is in custody for about 343 days, is not necessary.

The learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to several documents in the case diary.

Having heard the learned advocates and upon considering the materials in the case diary, the gravity of the offence 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 CRM 346 of 2021 is, thus, dismissed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)