

22.02.2021

Item No.24

Ct.No.28

dc.

Rejected

C.R.M. 449 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 : **Subhash Singh**

... Petitioner.

Mr. Rajdeep Majumder,
Mr. Moyukh Mukherjee,
Mr. Sarthak Mondal

... For the Petitioner.

Mr. S. G. Mukherjee, Ld. P.P.,
Mr. Neelive Ahmed,
Ms. Amita Gaur

... For the State.

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Liluah P.S. Case No. 222 of 2019 dated 04.09.2019 under Sections 302/120B of the Indian Penal Code (G.R. Case No. 4170 of 2019).

The learned advocate appearing for the petitioner submits that the petitioner is in custody for almost 12 months and charge-sheet has already been submitted in the instant case. Additionally, the learned advocate submits that the next date is fixed for framing of charge and having regard to the fact that the petitioner is only 19 years of age, he may be released on bail on any stringent condition.

Mr. Mukherjee, learned Public Prosecutor appearing for the State opposes the prayer for bail and draws the attention of this Court to the statement under Section 164 of the Code of Criminal Procedure of the witnesses on whom the prosecution has relied upon to establish its case. He vehemently submits that the petitioner inflicted the vital injury on the victim.

Having regard to the materials available in the case diary and the stage of the case, the gravity of the offence and the nature of role attributed to the present petitioner, we are not inclined to release the petitioner on bail at this stage. As such, petitioner's prayer for bail is **rejected**.

CRM 449 of 2021 is, thus, dismissed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)