

12.07.2021

Court No.28  
Item No.04

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**CRM 591 of 2021**  
**(Via Video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Kaliachak Police Station Case No. 88 of 2020, dated 29.01.2020 under Sections 489B/489C/120B/34 of the Indian Penal Code.

And

In the matter of : **Merajul Haque.**

**...Petitioner**

**Mr. Ram Dulal Manna,**  
**Mr. Sayan Mukherjee.**

**...For the Petitioner**

**Mr. S. G. Mukherjee, Ld. P.P.,**  
**Mr. T. D. Nandi,**  
**Mr. Antarikhya Basu.**

**...For the State.**

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure after being arrested in connection with Kaliachak Police Station Case No. 88 of 2020 under Sections 489B/489C/120B/34 of the Indian Penal Code.

According to the petitioner, he has been implicated on the statement of the other co-accused and there appears to be a discrepancy in the name and despite such discrepancy being eminent and evident he has been languishing in jail for nearly 400 days.

We find from the record that the earlier applications filed by the petitioner for bail were dismissed and last of such dismissal was on 18<sup>th</sup> November, 2020. Even though a plea has been taken by the petitioner that the charge sheet has been filed much earlier, i.e. in the month of July, 2020, but despite such filing of charge sheet the application for bail filed by the petitioner was dismissed subsequently.

Obviously the Co-ordinate Bench was alive of the fact that the charge sheet has already been filed but the complicity of the petitioner to the alleged offence does not invite any lenient view to be shown to him and proceeded to dismiss the application for bail.

We had perused the further progress report produced by the learned Public Prosecutor in compliance of the order dated 20<sup>th</sup> April, 2021. The report would reveal the role attributable to the conduct of the petitioner, which does not inspire us to take any different decision to what had already been taken in respect of the earlier applications filed by the petitioner.

The Assistant Court Officer is to re-seal the report and shall keep the same on record.

Since the investigation is in progress and is at the advanced stage, we trust and hope that it would be completed and the final report/charge sheet shall be filed within a short span of time.

In view of the findings recorded hereinabove, the prayer for bail of the petitioner is rejected.

The application for bail, being CRM 591 of 2021, is thus **dismissed.**

**(Harish Tandon, J)**

**(Subhasis Dasgupta,J.)**