

01.03.2021

Item No.28

Ct.No.28

dc.

Rejected

C.R.M. 611 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 : **Rijul Sk. & Ors.**

... Petitioners.

Mr. Mazahar Hossain Chowdhury,
Ms. A. Bhattacharjee,
Mr. Suman Karmakar

... For the Petitioners.

Mr. Saibal Bapuli,
Mr. Bibaswan Bhattacharya

... For the State.

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioners in connection with Baishnabnagar P.S. Case No. 477 of 2020 dated 11.09.2020 (G.R. Case No. 3916 of 2020) under Sections 342/302/201/34 of the Indian Penal Code.

The learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated. There is no incriminating material on record against the petitioners. Upon completion of investigation, charge-sheet has also been filed and as such, further detention of the petitioners, who are in custody since the month of September 2020, is not necessary.

The learned advocate appearing for the State opposes the petitioners' prayer and draws our attention to the statements of the eye-witnesses recorded under Section 164 of the Code.

Having heard the learned advocates and considering the materials in the case diary, the gravity of the offence, the statements of the eye-witnesses recorded under Section 164 of the Code and the extent of complicity of the petitioners in the alleged offence, we are not inclined to grant bail to the petitioners at this stage.

Accordingly, the application for bail, being CRM 611 of 2021, is dismissed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)