

23.03.2021

Item No.110

Ct.No.28

dc.

Rejected

C.R.M. 1088 of 2021

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Harwood Point Coastal P.S. Case No. 270 of 2018 dated 09.12.2017 under Section 363 of the Indian Penal Code and adding Sections 363/366/376/370/370A(2)/120B of the Indian Penal Code (G.R. No. 1967/2017).

And

In Re : **Faruk Hossion Shekh**

... Petitioner.

Mr. Partha Sarathi Mondal

... For the Petitioner.

Ms. Sukanya Bhattacharyya,
Ms. Mayukhi Mitra

... For the State.

This is an application for bail in connection with Harwood Point Coastal P.S. Case No. 270 of 2018 dated 09.12.2017 under Section 363 of the Indian Penal Code and adding Sections 363/366/376/370/370A(2)/120B of the Indian Penal Code at the behest of the petitioner.

The learned advocate for the petitioner submits that the petitioner is in custody for about two years and ten months and he is innocent of the charges. The learned advocate further submits that this Court has been pleased to grant bail to one of the accused persons in CRM 9402 of 2020 vide order dated 27.11.2020. As such, the petitioner may be released on bail on any stringent condition.

The learned advocate for the State opposes the prayer for bail and draws the attention of this Court to the statement of the victim.

We have perused the statement of the victim which refers to certain overt act of the present petitioner and the substantial incriminating materials so far as the commission of the alleged offence of the petitioner is concerned. Having regard to the complicity of the present petitioner in the alleged offence, we are not inclined to grant bail to the petitioner. As such, the petitioner's prayer for bail is **rejected**.

The application for bail, being CRM 1088 of 2021, is, thus, dismissed.

(Harish Tandon, J.)

(Tirthankar Ghosh, J.)