

04.06.2021

Sl. No.3

Court No.30

BM

**CRM 1149 of 2021
(Via Video Conference)**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973.

And

In the matter of: Gora Chand Mukherjee @ Haru

... Petitioner

Mr. Sabyasachi Banerjee

Mr. Avirup Mondal

Mr. Md. Zohaib Rauf

Mr. Sumitava Chakraborty ... for the petitioner

Mr. R. Sinha ... for the defacto complainant

Mr. Saibal Bapuli, APP

Mr. Subrato Roy ... for the State

This is an application under Section 439 of the Code of Criminal Procedure praying for release on bail on the parity with the accused Sushmita Goswami (Batabyal) alias Moni who was admitted on bail vide an order dated 22.12.2020 in CRM 10626 of 2020. Mr. Banerjee learned counsel for the petitioner takes us to the merit of the case firstly to the FIR and then to the final report being the charge sheet. On the other hand learned counsel for the State draws our attention to various pages of the case diary at pages 13, 14, 15, 17 and 20 and submits that this petitioner is the principal accused and pursuant to the disclosure statement of the petitioner, offending weapon was recovered.

Having heard learned counsel for the petitioner and considering materials on case diary and bearing in mind that the offence stands on a graver footing, the prayer for bail is rejected.

The learned Sessions Judge will take steps for expeditious disposal of the trial.

The personal appearance of the investigating officer is dispensed with and the case diary be returned.

(Aniruddha Roy, J.)

(Shivakant Prasad , J.)