

22.04.2021

Court No.28

rpan / **122**

C.R.M. 1756 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure;

And

In Re : **Sirajul Haque @ Islam**
...Petitioner.

Mr. Ashok Kumar Chowdhury
... for the petitioner.

Ms. Zareen N. Khan,
Ms. Sreeparna Das
... for the State.

Mr. Dipanjan Chatterjee,
Mr. Saushik Dey
... for the *de facto* complainant.

The present application has been preferred in connection with Duttapukur Police Station Case No.338 of 2020 dated 03.05.2020 under Sections 341/326/307/34/302 of the Indian Penal Code.

Mr. Chowdhury, learned advocate appearing for the petitioner submits that the petitioner is innocent. He has been falsely implicated. The allegations levelled against him are unfounded. Upon completion of investigation, charge-sheet has also been filed and as such, further detention of the petitioner, who is in custody since 3rd May, 2020, is not necessary.

Ms. Khan, learned advocate appearing for the State opposes the petitioner's prayer and submits that there were four eyewitnesses and the fatal blow was inflicted by the petitioner herein. The next schedule for evidence has already been fixed on and from 16th June, 2021.

We have heard the learned advocates appearing for the respective parties. *Prima facie*, there are materials on record which indicate the direct involvement of the petitioner in the alleged offence. Furthermore, considering the stage of the proceedings, we are not inclined to exercise any discretion in favour of the petitioner and as such, his prayer for bail is refused at this stage.

The application for bail, being CRM No. 1756 of 2021, is, thus, rejected.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)