

CRM 1917 of 2021

In the matter of : MD. JAVED & ANR.

Mr. Angshuman Chakraborty ... for the petitioners

Mr. Rana Mukherjee

Ms. Debjani Sahoo ... for the State

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioner no. 2 is the driver of the vehicle that was hijacked by some miscreants. The petitioner no. 1 is a co-accused. They are in custody for fifty four days. Another co-accused Md. Tosif, standing on the same footing, was granted bail by the learned Magistrate. No Test Identification parade was held during investigation.

Learned counsel appearing on behalf of the State submits as follows. It appears that the present petitioners were known to an eyewitness. The petitioners were named in the F.I.R. Investigation is going on. Pursuant to the statements of the present petitioners the truck was recovered. This is the distinguishing feature for which the co-accused, who was granted bail, stands on a different footing than the present petitioners. Upon instruction, it is submitted that the charge sheet would soon be filed in this case.

Considering the materials available in the case diary and the roles attributed to the present petitioners, I am not inclined to grant bail to the petitioners.

Accordingly, the application for bail is rejected at this stage.

The personal appearance of the Investigating officer of the case is noted and dispensed with.

Urgent photostat certified copy of this order, if applied for, is to be given to the parties upon usual undertakings.

(Jay Sengupta, J.)

