

25.06.2021

Court No.28
Item No.31
(Rejected)

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As

CRM 2498 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with North Port Police Station Case No. 313 of 2017, dated 27.12.2017 under Sections 394/397 of the Indian Penal Code.

And

In the matter of : **Mazhar Khan.**

...Petitioner

Mr. Indrajeet Bhattacharjee.

...For the Petitioner

Mr. Madhusudan Sur, Ld. A.P.P.,

Mr. Dipankar Pramanick.

...For the State.

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure after being arrested in connection with North Port Police Station Case No. 313 of 2017 under Sections 394/397 of the Indian Penal Code.

Learned Advocate for the petitioner submits that the petitioner has been implicated in the supplementary charge sheet filed by the Investigating Officer and there is no incriminating material available against the petitioner.

The State opposes the prayer for bail.

It transpires in course of hearing that this is the third application for bail at the instance of the petitioner. The point, which is sought to be raised, was available at the time of moving the first and second application for bail. The Court after considering the same do not find it sustainable, it does not bring changed circumstances after a gap of a year.

We do not find that it is a fit case, where the petitioner should be enlarged on bail.

Accordingly, the prayer for bail of the petitioners is rejected.

However, we must record that the Trial Court after resumption of normal function would give precedence to the instant case and effort should be shown to bring the same to its logical end at the earliest.

The application for bail, being CRM 2498 of 2021, is thus **dismissed.**

(Harish Tandon, J)

(Subhasis Dasgupta, J.)