

28.06.2021

Court No.28
Item No.25
(Rejected)

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&
As

CRM 2545 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Bhimpur Police Station Case No. 277 of 2020 dated 04.11.2020 under Sections 341/326/307/34 of the Indian Penal Code and added Section 302 of the Indian Penal Code.

And

In the matter of : **Uttam Ghosh.**

...Petitioners

Mr. Snehannsu Majumder.

...For the Petitioner

Mr. Binay Panda,
Ms. Puspita Saha.

...For the State.

The petitioners have filed the instant application for bail under Section 439 of the Code of Criminal Procedure after being arrested in connection with Bhimpur Police Station Case No. 277 of 2020 dated 04.11.2020 under Sections 341/326/307/34 of the Indian Penal Code and added Section 302 of the Indian Penal Code.

Learned Advocate of the petitioner submits that the petitioner is in custody since 217 days in connection with the instant case. The petitioner submits that he has been implicated in the instant case when he has no direct role attributable to him for commission of the alleged offence.

Learned Advocate for the State draws our attention to the statement of the so called eye witnesses recorded under Section 164 of the Code of Criminal Procedure as well as the post mortem report and the recovery of the offending weapon on the leading statement of the petitioner.

After perusing the materials available from the record and upon hearing the submissions of the respective Counsels, it cannot be said at this juncture that the petitioner is innocent and have no contribution to the commission of the alleged offence.

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

The application for bail, being CRM 2545 of 2021, is thus **dismissed.**

(Harish Tandon, J)

(Subhasis Dasgupta, J.)