

19.07.2021

Court No.28
Item No.14
(REJECTED)

Ab/Saswata

CRM 2711 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed on 04.03.2021 in connection with Tamna South Police Station Case No. 32 of 2020 dated 06.11.2020 under Sections 341/323/325/302/34 of the Indian Penal Code (G. R. Case No. 1621 of 2020);

And

In the matter of : **Sri Takababu @ Kuchilbabu Kumar @
Kuchilbabu Majhi and another.**
...Petitioners.

Mr. Bibaswan Bhattacharya.

...For the Petitioners

Mr. Rudradipta Nandy.

... For the State

The petitioners have filed the instant application for bail under Section 439 of the Code of Criminal Procedure in connection with Tamna South Police Station Case No. 32 of 2020 under Sections 341/323/325/302/34 of the Indian Penal Code.

Learned Advocate for the petitioners submits that six persons were allegedly implicated in the instant case and there is no specific or a definite role attributable to the conduct of the present petitioners. They are languishing in jail for nearly 252 days and after the submission of the charge-sheet, there is no necessity of keeping them in further custody.

Learned Advocate for the State opposes the prayer for bail. It is submitted that the petitioners along with the others have played an active role in the murder of the victim deceased and out of six, three persons have been apprehended and others are absconding.

Our attention is drawn to the statement of the eye-witnesses as well as the Post Mortem report, which corroborates the role of the

petitioners to the alleged commission of offence. Furthermore, the offending weapon was also recovered on the leading statement of both the petitioners, which would be evident from seizure list annexed to the case diary.

In view of the above, we do not think it is a fit case where the petitioners should be released on bail.

The application for bail, being CRM 2711 of 2021, is thus **rejected.**

(Harish Tandon, J)

(Subhasis Dasgupta,J.)