

29.06.2021

(Via Video Conference)

Court No. 28
Item No. PB-51
nandyc

CRM 2850 of 2021

(bail rejected)

In Re: An application for **Bail** under Section **439** of the Code of Criminal Procedure filed on 18.03.2021 in connection with Nanoor Police Station Case No. 151 of 2020 dated 30.12.2020 under Sections 325/307/302/34 of the Indian Penal Code (G.R. Case No. 1008 of 2020).

and

In the matter of: **Bipodtaran @ Bipataran Sutradhar**

..... Petitioner

Mr. Tapas Kumar Ghosh, Advocate

Mr. Tanmoy Chowdhury, Advocate

.....for the Petitioner

Mr. Neguive Ahmed, Advocate

Mr. Md. Anwar Hossain, Advocate

Ms. Amita Gaur, Advocate

..... for the State

The petitioner has filed the instant application for bail in connection with Nanoor Police Station Case No. 151 of 2020 dated 30.12.2020 under Sections 325/307/302/34 of the Indian Penal Code.

Learned Advocate for the petitioner submits that the petitioner is not the principal accused and he is in custody for last six months. Moreso, charge-sheet in this case has been submitted requiring no further detention.

The learned Advocate for the State raises objection against the prayer for bail. It is submitted that in this case there are statements recorded under Section 164 of the Code of Criminal Procedure, revealing direct involvement of petitioner with his son in the occurrence leading to death of the deceased.

At this stage, it is very difficult to segregate the role of the petitioner with that of his son, who is also in custody. The

statements of the witnesses recorded under Section 164 of the Code of Criminal Procedure are very clear revealing equal role played by the petitioner with that of his son leading to the death of the deceased.

Though the petitioner is in custody for the last six months but long incarceration alone cannot be a strong ground of bail in this case for the seriousness of the offence committed.

The prayer for bail is **rejected** at this stage.

The application being **CRM 2850 of 2021** accordingly **dismissed**.

(Harish Tandon, J.)

(Subhasis Dasgupta, J.)