

CRM No.2912 of 2021

01.06.21 In re: An application for bail under Section 439 of the Code of Criminal
(S.R.) Procedure filed in connection with **Panchasayar** Police Station Case
Sl.21 **No.20 of 2020** dated **17.03.2020** under Sections **302/324/34** of the
Ct.28 Indian Penal Code but charge sheet being **No.41/2020** dated
12/06/2020 was submitted under Sections **120B/302/324/34** of the
Indian Penal Code;

And

In re: Santu Chatterjee

... petitioner.

Mr. Suman De

... for the petitioner.

Mr. Madhusudan Sur, APP

Mr. Dipankar Paramanick

...for the State.

Mr. De, learned advocate appearing for the petitioner submits that he has been falsely implicated in an alleged incident which occurred on 16th March, 2020. No overt act has been attributed to the petitioner and his name also does not feature in the FIR. Upon conclusion of investigation charge sheet has been submitted and as such, further detention of the petitioner, who is in custody since 15th May, 2020, is not necessary.

Mr. Sur, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to several documents in the case diary including the medical report and the statements of the witnesses as recorded under Sections 161 and 164 of the Code.

He further submits that the petitioner was identified in the T.I. parade and a co-accused, whose extent of complicity is lesser than the petitioner herein, was also refused bail by a Coordinate Bench of this Court on 12th February, 2021 in the application being CRM No.10069 of 2020. Let a copy of the said order, as produced, be kept on record.

We have heard the learned advocates appearing for the

respective parties and considered the materials in the case diary.

Prima facie, there are materials, which reveal the direct involvement of the petitioner in the alleged offence. It appears that a co-accused person has been refused bail by a Coordinate Bench of this Court. Considering the gravity of the offence, the nature of allegations and the extent of complicity of the petitioner, we are not inclined to exercise our discretion in favour of the petitioner. His prayer for bail is, thus, refused at this stage.

Accordingly, the application for bail being CRM No.2912 of 2021 is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Shampa Sarkar, J.)

(Tapabrata Chakraborty, J.)