

06.09.2021

Court No.29
Item No.45
(Rejected)

Saswata

CRM 3412 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Hanskhali Police Station Case No. 130 of 2018 dated 28.04.2018 under Sections 447/442/325/326/307/302/34 of the Indian Penal Code;

And

In the matter of : **Basudeb Ghosh**

...Petitioner

**Md. Mokaram Hossain
Mr. Razzak Hossain
Mr. Sandipan Maity
Mr. Soumen Gayen
Mr. Salauddin Ahmed**

... for the petitioner

**Ms. Madhusudan Sur, APP
Mr. Manoranjan Mahato**

...For the State.

The petitioner seeks bail.

Learned advocate for the petitioner submits that considering the period of detention of the petitioner and considering the fact that charges are yet to be framed when the charge sheet was submitted two years ago, it would be appropriate for this Court to grant bail to the petitioner. He submits that the petitioner is a senior citizen.

Learned advocate for the State submits that the co-accused was denied bail by a Coordinate Bench of this Court on October 9, 2018.. In support of such contention, he refers upon the statements recorded under Section 161 of the Code of Criminal Procedure.

Considering the materials in the case diary and the statements recorded under Section 161 of the Code of Criminal Procedure, and considering the fact that the petitioner along with Chandgopal Ghosh were named as the principal accused, and considering the fact that the prayer for anticipatory bail of the co-accused was negated by a Coordinate Bench of this Court by an order dated October 9, 2018, we reject the prayer for bail.

In such circumstances, CRM 3412 of 2021 is, thus, dismissed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)

