

02.06.2021
Court No.28
Item No. 40
sn

CRM 3603 of 2021 (Via video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure;

And

In Re: **Badruddin Sk. @ Badoraddin @ Sk. Badruddin**
Petitioner

Mr. Sarwar Jahan
Mr. Anisur Rahaman

For the Petitioner

Ms. Faria Hossain
Mr. Aniket Mitra

For the State

The present application has been filed in connection with Beldanga Police Station Case No.493 of 2020 dated 18.11.2020 under sections 325/326/327/34 of the Indian Penal Code and 25/27 Arms Act.

Mr. Jahan, learned advocate appearing for the petitioner submits that there was a previous dispute between the parties and the petitioner has been falsely implicated in an alleged incident, which occurred on 17.11.2020. The allegations levelled against the petitioner do not stand supported with appropriate materials. The co-accused person had already been granted anticipatory bail. Upon completion of investigation, charge sheet has also been filed. Further detention of the petitioner, who is in custody for a period of six months ten days, is not warranted in the facts and circumstances of this case.

Mr. Mitra, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the several documents in the case diary including the statement of witnesses under Section 161 of the Code and the medical documents.

Prima facie, the materials on record reveal the direct involvement of the petitioner in the alleged offence. Three persons were severely injured. The co-accused person, who had been granted anticipatory bail, is the wife of the present petitioner.

Considering the gravity of the offence, the nature of allegations, the injury report and the extent of complicity of the petitioner, we are not inclined to exercise any discretion in his favour. As such, prayer for bail is rejected at this stage.

Accordingly, the application for bail being CRM 3603 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.)