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04-06-2021
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CRM No. 3719 of 2021

(Via Video Conference)

In the matter of an application for bail under Section 439 of the Code of Criminal Procedure, 1973.

And

In re: Md. Yusuf ...Petitioner.

Mr. T.J. Mondal ...for the petitioner.

Mr. Rana Mukherjee
Ms. Sujata Das ...for the State

The petitioner is in custody for the last 156 days in connection with Bowbazar Police Station Case No. 38 of 2021 dated 25.01.2021 under sections 363/370 IPC. Charge sheet being Charge sheet no.70 of 2021 dated April 22, 2021.

Learned counsel for the petitioner invites our attention to the last paragraph of the charge sheet to submit that there is involvement of one Avinash Paswan against whom a supplementary charge sheet would be submitted, to impress upon the court that the petitioner is no way involved with the case.

Mr. Rana Mukherjee, learned counsel appearing for the State submits about the gravity of the offence pointing out that a minor boy aged about 3 years was missing and this

petitioner was nabbed on the basis of identification of the petitioner in the T.I. parade. Therefore, prima facie identity and involvement of the petitioner is writ large in the case. Case diary also reveals the identity and involvement of the petitioner.

Bearing in mind the gravity of the offence and the punishment prescribed for the offence alleged, the prayer for bail is considered and rejected.

Thus CRM 3719 of 2021 is disposed of.

(Aniruddha Roy, J.)

(Shivakant Prasad, J.)