

79. 29.07.2021
Ct.32
Tanmoy
Dismissed

C.R.M. 4042 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **10/06/2021** in connection with **Swarupnagar Police Station Case No. 435 of 2018** dated **23/08/2018** under Sections **363/365/325/307/364A/120B** of the Indian Penal Code.

And

In the matter of: - **Soumen Banerjee @ Vitu & Anr.**
....petitioners.

Mr. Angshuman Chakraborty

...for the petitioners.

Ms. Zareen N. Khan,
Ms. Sreeparna Das

...for the State.

Allegation against the petitioners is extremely serious in nature. They have been charged with offences punishable under Sections 363/365/325/307/364A/120B of the Indian Penal Code. The petitioners are in custody for two years and eight months. Charge-sheet has been submitted.

Learned Advocate for the State refers to the Case Diary including the statement of the victim under Section 164 of the Code of Criminal Procedure. The victim in his statement vividly describes what he had gone through in the clutches of the petitioners and his associates. Considering the nature and gravity of the offences, material on record and, *prima facie* involvement of the petitioners in the alleged crime as also the medical report, we are inclined to hold that this is not a fit case where the petitioners can be granted bail at this stage.

Accordingly, the application for bail being C.R.M. 4042 of 2021 is **dismissed**.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)