

(Via Video Conference)

CRM 4365 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Jhargram Police Station** Case No. **70 of 2014** dated **28.04.2014** under Sections **364/364A/302/201/120B/379/411** of the Indian Penal Code read with Sections 25(1-B)(a)/35 of the Arms Act.

- A n d -

In the matter of : Ashoke Sharma @ Asoke Sharma

.... Petitioner.

Mr. Jayanta Narayan Chatterjee,
Mr. R. Sengupta,
Mr. A. Chakraborty

... For the Petitioner.

Mr. Nguive Ahmed, Ld. APP,
Mr. A. Hossain,
Mr. A. Gour

... For the State.

Medical Report submitted by the State be kept on Record.

The petitioner is in custody for 7 years and 3 months and renews his prayer for bail. The prayer of the petitioner was rejected on at least two earlier occasions by Coordinate Benches of this Court.

It is submitted on behalf of the petitioner that the petitioner is 63 years of age and has been suffering from various ailments. He has been provided medical assistance in custody and requires to be granted bail for regular medical treatment.

The State vehemently opposes the prayer for bail and submits that the petitioner is being provided adequate

medical assistance in custody and there is no question of his release on medical grounds.

We have considered the material on record. The allegation against the petitioner is extremely serious in nature. Charges under Sections 364/364A/302/201/120B/379/411 of the Indian Penal Code along with Sections 25(1-B)(a)/35 of the Arms Act have been leveled against him. Having considered the material in the case diary as well as the extent of involvement of the petitioner in the alleged crime and also the nature and gravity of the offence, we are not inclined to grant bail to the petitioner at this stage. However, the Superintendent of the concerned Correctional Home is directed to provide all necessary medical assistance including, if necessary, admitting him to other hospitals as and when required. We also request the Learned Trial Court to conclude the trial at the earliest as the business of the court may permit.

The prayer for bail is rejected.

CRM No. 4365 of 2021 is, thus, dismissed.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)