

22.09.2021

CRM 4444 of 2021

Court No.28
Item No.36
(Rejected)

As/Akd

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Sankrail Police Station Case No. 175 of 2021 dated 08.02.2021 under Sections 302/120B of the Indian Penal Code;

And

In the matter of : **Gopal Bag.**

...Petitioner

Mr. Sandip Chakraborty.

...For the Petitioner

**Mr. Neguive Ahmed, Id. A.P.P.,
Ms. Trina Mitra.**

...For the State.

The petitioners have filed the instant application for bail under Section 439 of the Code of Criminal Procedure after being arrested in connection with Sankrail Police Station Case No. 175 of 2021 dated 08.02.2021 under Sections 302/120B of the Indian Penal Code.

It is submitted by the learned Advocate for the petitioner that he is languishing in jail for 260 days in connection with the aforementioned case. It is further submitted that there is no eye witnesses and the entire case hinges on the circumstantial evidence.

The learned Advocate appearing for the State opposes the prayer for bail. It is submitted that a link has been established during the investigation and the supplementary charge sheet filed by the prosecution would also corroborate the same.

After considering the respective submissions and on perusal of the materials available therefrom including the disclosure made in the supplementary charge sheet, the role of the petitioner attributable to the commission of an offence cannot be ruled out at this stage. The thing which is sought to be projected by the petitioner in the instant application is a matter of trial. We do not think that it is a fit case where the petitioner should be enlarged on bail.

Accordingly, the prayer for bail of the petitioners is rejected.

The application for bail, being CRM 4444 of 2021 is thus **dismissed**.

(Harish Tandon, J)

(Bibek Chaudhuri, J.)