

CRM 4685 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Purbasthali Police Station Case No.52 of 2021 dated 15-02-2021 under Sections 302/34 of the Indian Penal Code read with Sections 25/27 of the Arms Act.

- A n d -

In the matter of : Jiten Ghosh & Anr.

.... Petitioners.

Mr. Soumyajit Das Mahapatra

... For the Petitioners.

Mr. Madhusudan Sur, learned APP,

Mr. Dipankar Paramanick

... For the State.

The petitioners say that they have been in custody for 209 and 208 days respectively. There is no eyewitness to the incident. They have been implicated on the basis of circumstantial evidence. Charge has not yet been framed. There is no possibility of an early commencement or conclusion of the trial. They pray for bail.

We have seen the material in the Case Diary including the Post Mortem report. There appears to be gun shot injury as well as knife injury suffered by the victim. A pipe gun was recovered from the petitioner no.2 and a knife has been recovered from the petitioner no.1 as per the seizure lists in the Case Diary. We have also seen the statements of witnesses recorded under Section 164 of the Code of Criminal Procedure.

On an overall assessment of the material on record and the nature and gravity of the offence that the petitioners have been charged with, we are not inclined to entertain their prayer for bail, at this stage.

The application for bail being CRM 4685 of 2021 is, thus, **dismissed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)