

30.09.2021
Serial no.104
Aloke
Ct. No.19

(Through Video Conference)

CRM 5011 of 2021

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 20.07.2021 in connection with Tehatta Police Station Case No. 339 of 2016 dated 22.06.2016 under Sections 394/397 of the Indian Penal Code and charge-sheet submitted under Section 394/397/412 of the Indian Penal Code.

And

In the matter of : Prasenjit Biswas

... ..Petitioner

Mr. Rudradipta Nandy, Advocate

... ..For the State

None appears for the petitioner.

On the previous date when the petition was taken up for consideration no one represented the petitioner. A request was made to the learned Advocate appeared for the State to inform the learned Advocate for the petitioner about the pendency of the matter.

Learned Advocate appearing for the State submits that his clerk informed the learned Advocate for the petitioner whereupon the learned Advocate for the petitioner enquired as to whether it is the practice of the State Advocate to inform the Advocate for the petitioner or not.

Learned Advocate appearing for the State acted on the basis of the desire expressed by the Court. The anxiety of the Court was to ensure that the petitioner does not go unrepresented. Despite information being sent to the petitioner's Advocate and since the petitioner chooses to remain unrepresented, we deem it appropriate to dispose of the petition on merits.

The petitioner seeks bail.

Learned Advocate appearing for the State draws the attention of the Court to the contents of the case diary and

submits that the case is of a Highway dacoity. The petitioner was apprehended and produced for the identification parade wherein the petitioner was identified. Moreover, the stolen articles were recovered from the possession of the petitioner

Considering the contents of the case diary and considering the complicity of the petitioner in the incident, we are not inclined to grant bail to the petitioner.

CRM 5011 of 2021 is dismissed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)