

39 27.09.2021
(AD)

Court No.28

(Dismissed)

C.R.M. 4908 of 2021
(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Chanchal** P.S. Case No.**433 of 2021** dated **11/06/2021** under Sections **376D/506** of the Indian Penal Code.

And

In the matter of: Tabarak Ali @ Sk. Tabakar Hussain
....petitioner.

Mr. Soupal Chatterjee

...for the petitioner.

Ms. Zareen N. Khan

Ms. Sreparna Das

... for the State.

The petitioner has prayed for bail in connection the aforementioned case under Section 167(2) of the Code of Criminal Procedure.

It is submitted by the learned Advocate for the petitioner that the Investigation Officer has failed to file charge sheet within the statutory period of time. So, the petitioner should be enlarged on bail.

Learned Public Prosecutor in-Charge on the other hand has opposed the prayer for bail and submits on instruction that the Investigating Officer submitted charge sheet on 8th September, 2021 against the petitioner who was arrested on 11th June, 2021.

Thus, we find that the charge sheet was submitted within the statutory period of time. Moreover, considering the nature and gravity of offence, we are of the view that the petitioner is not entitled to bail at this stage.

The prayer for bail is, thus, rejected.

C.R.M. 4908 of 2021 is dismissed accordingly.

(Harish Tandon, J.)

(Bibek Chaudhuri, J.)