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16.11.2021.
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C.R.M. 4902 of 2021
(via video conference)

In the matter of: an application for bail under Section 439 of the Code of Criminal Procedure filed on 23.07.2021 in connection with Basanti Police Station Case No. 754 of 2017 dated 29.09.2017 under Sections 447/326/307/302/34 of the Indian Penal Code and Sections 25/27 of the Arms Act.

And

In re.: Bhola Safui @ Bhola nath Sanfui & Ors.

.... Petitioners

Mr. Biplab Mitra,
Ms. Trina Mitra.

... for the petitioners

Mr. Sudip Ghosh,
Mr. Apurba Kumar Datta,
Mr. Bitasok Banerjee.

.... for the State

The petitioners seek bail.

Learned Advocate appearing on behalf of the petitioner submits that the petitioners are in custody in excess of four years. He highlights the fact that one of the assailants was acquitted in the investigation in the sense that the police has submitted final report against him.

Learned Advocate for the State submits that the petitioners are named in the statements recorded under Section 164 of the Code of Criminal Procedure. He further submits that a country made arms was recovered from the possession of one of the petitioners. He also submits that there are criminal antecedents against the petitioners. Moreover, there are statements recorded under Section 161 of the Code of Criminal Procedure.

Considering the materials in the case diary, the gravity of the offence and the complicity of the petitioners

therein and considering the fact that the trial is in progress,
we are unable to grant bail to the petitioners.

C.R.M. No. 4902 of 2021 is disposed of.

All concerned parties shall act in terms of the copy of
the order downloaded from the official website of this Court.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)