

30.09.2021
Serial no. 120
Dd

(Through Video Conference)

CRM 5389 of 2021

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Bankura** Police Station Case No. **59** of **2020** dated **15.03.2020** under **Sections 395/397/412** of the Indian Penal Code.

-And-

In the matter of : Pintu Singh @ Tiwariji

... ..Petitioner

Mr. Mritunjoy Chatterjee,
Mr. Koilash Tambole,
Md. G. N. Imrohi,
Mr. Dipankar Guha, Advocates
... .. For the Petitioner

Mr. Madhusudan Sur, Ld. APP
Mr. Dipankar Pramanick, Advocates
... ..For the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that out of 12 accused 7 were granted bail. He draws the attention of the Court to the identification parade and submits that identification is vitiated since photographs of the three persons identified were shown to the person concerned before the identification parade. Since Police submitted charge sheet, further detention of the petitioner is not required. He submits that subsequent to the charge sheet being submitted, the case is yet to be committed.

Learned advocate appearing for the State submits that one of the accused is still absconding and, therefore, the case cannot be committed. He draws the attention of the Court to the contents of the case diary.

The petitioner before us cannot be said to be at the same footing as that of the other co-accused who were granted bail. None of the persons who were granted bail were identified in the identification parade.

Considering that the petitioner was identified in the identification parade and the complicity of the petitioner in the instant case, we are not inclined to grant bail to the petitioner.

CRM 5389 of 2021 is **dismissed**.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)