

16.11.2021

CRM 5357 of 2021

Court No.28
Item No.84
(REJECTED)

Ab

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 11.08.2021 in connection with Dhantala Police Station case No. 32 of 2021 dated 21.01.2021 under Sections 379/411/413/414 of the Indian Penal Code;
And

In the matter of : **Dipak Biswas.**

...Petitioner.

**Mr. Arindam Jana,
Mr. Soumajit Chatterjee.**

...For the Petitioner.

**Mr. Sudip Ghosh,
Mr. Bitasok Banerjee.**

... For the State.

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure after being arrested in connection with Dhantala Police Station case No. 32 of 2021 dated 21.01.2021 under Sections 379/411/413/414 of the Indian Penal Code.

Learned Advocate for the petitioner submits that the petitioner has been falsely implicated in connection with the aforementioned case while sitting on a motorcycle behind the temple. It is further submitted that the petitioner is in custody for 297 days and there is no chance of commencement of trial.

Learned Advocate for the State opposes the prayer for bail. It is submitted that the petitioner is actively involved in stealing motorcycle and selling it with fake registration number. In fact, several other motorcycles were recovered from the house of the petitioner during the raid conducted by the team.

After hearing the respective Counsels and on perusal of materials on record including the seizure made from the house of the

petitioner, there is a prima facie evidence against the petitioner pertaining to the commission of offence under the aforesaid charging sections.

We do not find any justification in releasing the petitioner on bail.

The application for bail being CRM 5357 of 2021 is, thus, ***rejected.***

Since the charge-sheet has been submitted in this case, the trial court is requested to expedite the trial of the case.

(Harish Tandon, J)

(Rabindranath Samanta,J.)