

29.11.2021
Item no.27
Court No.32
Avijit Mitra

C.R.M. 6073 of 2021 (through video conference)

In Re:- An application for bail under Section 439 of the Code of Criminal;

And

In Re : Aman Gupta alias Vicky

.... petitioner

Mr. Diptendu Banerjee,

Ms. Sinthia Bala

....for the petitioner

Mr. Rudradipta Nandy

..... for the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Golabari Police Station Case No. 03 of 2021 dated 03.01.2021 under sections 302/201 of the Indian Penal Code.

Ms. Bala, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. No overt act has been attributed to the petitioner. Upon completion of investigation chargesheet has also been submitted and in the said conspectus, further detention of the petitioner, who is in custody for more than 1 year, is not warranted.

Mr. Nandy, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to several documents in the case diary.

Having heard the learned advocates appearing for the parties and considering the materials in the case diary, the

gravity of the offence, the nature of allegations and the extent of the complicity of the petitioner in the alleged offence, we are not inclined to exercise any discretion in favour of the petitioner. As such the prayer for bail is refused at this stage.

The application for bail being C.R.M. No.6073 of 2021 is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)