

04.10.2021
23
Ct. No 29
KAUSHIK
(REJECTED)

C.R.M. 6552 of 2021
(via video conference)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Narkeldanga** Police Station Case No. **124** of **2021** dated **02.05.2021** under Sections 307/34 of the Indian Penal Code and adding Sections 302/34/427 of the Indian Penal Code.

And

In Re : Sanjay Basak @ Ruidas & Ors.

..... petitioners

Mr. Sourav Chatterjee
Mr. Sujan Chatterjee

... for the petitioners

Mr. Y. J. Dastoor
Mr. Phiroze Edulji
Mr. Samrat Goswami

... for the CBI

Petitioners seek bail.

Learned advocate appearing for the petitioner submits that, the petitioners are falsely implicated. He submits that, the police submitted charge-sheet where the petitioners were not named. Subsequently, at the instance of the High Court, the Central Bureau of Investigation (CBI) investigated the incident. He submits that, considering the tenure of detention of the petitioner, the Court should grant bail.

Learned Additional Solicitor General appearing for CBI draws the attention of the Court to the contents of the case diary. He submits that, all the four petitioners were identified by the eye witness, as persons involved in the incident.

Considering the materials in the case diary, and considering the statement recorded under Section 161 of the

Code of Criminal Procedure and considering the fact that the petitioners are identified by eye witness, we are unable to grant bail to the petitioners.

Accordingly, prayer for bail is rejected and the application being CRM 6552 of 2021 is disposed of.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)