

02.11.2021
Item no. 09
Ct. 8
AB /PG

C.R.M. 6846 of 2021

In Re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chanchal P.S. Case No. 909 of 2020 dated 06.10.2020 under Sections 302/201 of the Indian Penal Code.

And

In the Matter of : Saidur Rahamanpetitioner

Mr. Pravas Bhattacharya

Mr. Kazi M. Rahaman.....for the petitioner

Mr. Bidyut Kr. Roy

Ms. Rita Dutta.....for the State

The application for bail is made on the ground that two statements under section 161 of the Code of Criminal Procedure have been made which is the sheet-anchor of the case of the prosecution, is not admissible in evidence and is not conclusive.

Counsel for the State relies upon the statement of the accused himself that is part of the case diary produced before this Court. It also appears that the charges are under section 302 and under section 201 of the Penal Code. It appears that the charge-sheet has been filed and the case has been committed.

Given the facts and circumstances of the case and having perused the case diary, this Court is of the view that the application for bail cannot be entertained at this stage.

Hence the application for bail stands dismissed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties expeditiously after complying with all necessary legal formalities.

(Rajasekhar Mantha, J.)

(Kesang Doma Bhutia, J.)