

25-11-2021
Subrata
Item no.608
rejected

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

CRM No.7634 of 2021
Sanju Sk & Anr.
-vs-
State of West Bengal

In Re: Application under **section 439 CrPC** in connection with Chapra P. S. Case No. 260 of 2021 dated July 2, 2021 under sections 302/201/120B IPC.

Mr. Sourav Mukherjee ...for the petitioners

Mr. Saibal Bapuli
Mr. Bibaswan Bhattacharya ... for the State

The petitioners seek bail.

Learned advocate for the petitioners submits that the petitioners were falsely implicated in the incident.

Learned advocate for the State draws the attention of this court to the statement under section 164 CrPC, and submits that two other persons who were granted bail were not named in the statement under section 164 CrPC.

Considering the materials in the case diary and the statements recorded under sections 161 and 164 CrPC, we do not find that the petitioners stand on the same footing as that of the other co-accused granted bail on November 9, 2021 in CRM No.7091 of 2021.

Considering the gravity of the offences as aforesaid, we are unable to grant the petitioners bail.

Accordingly, the application for bail being CRM No.7634 of 2021 under section 439 CrPC is rejected.

[Debangsu Basak, J]

[Bibhas Ranjan De, J]

