

16.03.2021

CRM 8255 of 2020

**Court No.28
Item No.38
(Rejected)**

akd

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed on 08.10.2020 in connection with Nimta Police Station Case No. 429/2019, dated 17.10.2019 under Sections 302/201/120B of the Indian Penal Code read with Sections 25/27 of the Arms Act (G.R. Case no. 6005/2019)

And

In the matter of : **Prince Singh.**

...Petitioner

**Mr. Sohan Lal Adak,
Mr. Atalanta Chakraborty,
Ms. Taniya Mondal.**

...For the Petitioner

**Ms. Manisha Sharma,
Ms. Amita Gour.**

...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 Nimta Police Station Case No. 429/2019 under Sections 302/201/120B of the Indian Penal Code read with Sections 25/27 of Arms Act.

Learned Advocate appearing for the petitioner submits that the petitioner is languishing in jail since 19th October, 2019. It is further submitted that there is no incriminating evidence against the petitioner; even the statements recorded under Section 164 of the Code of Criminal Procedure do not disclose direct involvement of the petitioner in the alleged commission of offence.

Learned Advocate for the State opposes the prayer for bail. It is submitted that the seizure of the weapon was made on the disclosure of the petitioner and the Forensic Science Laboratory report would also corroborate that the deceased received the gunshot from a firearm, which was seized from the petitioner.

In view of the above submissions and on perusal of the materials available in the case diary as well as the Forensic Science Laboratory report and the seizure of firearm from the custody of the petitioner, we do not feel that it is a fit case, where the petitioner

should be enlarged on bail.

The application for bail, being CRM 8255 of 2020, is thus dismissed.

However, we expect that the case shall be expedited.

(Harish Tandon, J)

(Tirthankar Ghosh,J.)