

18.02.2021
Court No.28
rpan / 18

C.R.M. 10912 of 2020
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Kaliachak Police Station Case No.697 of 2016 dated 10.10.2016 under Sections 147/148/149/447/326/307/302 of the Indian Penal Code read with Sections 3/4 of the Explosive Substances Act;

And

In Re : Krishna Mandal @ Krishna Mondal
- Petitioner.

Ms. Minoti Gomes,
Mr. Mounick Ghosh
... for the petitioner.
Mr. Binay Panda,
Mr. Subham Bhakat
... for the State.

The learned advocate for the petitioner submits that the petitioner is in custody for 419 days and similarly placed accused persons have already been released on bail. The learned advocate further submits that it was a case of mob fury and the present petitioner was not aware that he is wanted in connection with the present case and as such, could not come within the ambit of law within a reasonable period of time.

Learned advocate for the State opposes the prayer and submits that earlier the prayer for bail of the petitioner was rejected in the month of October, 2020 by a co-ordinate Bench of this Court. Learned advocate further submits that date for evidence has been fixed between 19th February, 2021 and 23rd February, 2021.

We have taken into account the locus of the accused persons, who have been granted bail and that of the present petitioner, the materials on record which include the statements of witnesses and having regard to the fact that the petitioner was absconding for about three years, we are not inclined to release the petitioner on bail at this stage.

Accordingly, the prayer for bail of the petitioner is rejected.

The application for bail, being CRM No.10912 of 2020, is disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)