

18.02.2021

Item No.19

Ct.No.28

dc.

Rejected

C.R.M. 10917 of 2020

(Via Video Conference)

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure.

And

In the matter of : **Pratap Mallick**

... Petitioner.

Mr. Niladri Sekhar Ghosh,
Ms. Srimoyee Mukherjee

... For the Petitioner.

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee

... For the State.

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Goghat P.S. Case No. 48 of 2020 dated 13.02.2020 under Sections 302/34 of the Indian Penal Code.

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. Upon completion of investigation, charge-sheet has also been filed and as such, further detention of the petitioner, who is in custody for more than 369 days, is not necessary.

Mr. Ghosh, learned advocate appearing for the State submits that the petitioner is the sole accused. There are materials on record which clearly disclose the involvement of the petitioner in the alleged offence. The charge has also

been framed and next date is fixed on 25th March, 2021. In the said conspectus, he opposes the petitioner's prayer for bail.

Having heard the learned advocates and considering the materials in the case diary, the gravity of the offence and the extent of complicity of the petitioner in the alleged offence, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, the application for bail, being CRM 10917 of 2020, is dismissed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)