

23.02.2021
tkm/ct 28
sl no. 21

C.R.M. 11028 of 2020
(Through video conference)

In Re : An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Habra P.S case no. 202/2020 dated 3.5.2020 under section 302 IPC

And

In Re : Biplab Halder petitioner

Mr. Debangana Bhattacharjee
Mr. Nimai Ray
Ms. Swarnali Saha

..... for the petitioner

Mr. Saswata Gopal Mukherjee, Id PP
Mr. N Ahmed
Ms. Amita Gaur

..... for the State

Learned advocate for the petitioner submits that the petitioner is in custody since 29th June 2020 and he has been falsely implicated in the instant case.

Learned advocate additionally submits that after 57 days of the incident, petitioner was arrested. Learned advocate further emphasizes that unnecessarily the petitioner is languishing in jail without the case proceeding smoothly.

Mr. Mukherjee, learned Public Prosecutor appearing for the State draws our attention to the seizure list which reflects blood stained wearing apparels and offending weapon were recovered pursuant to the leading statement of the petitioner.

Learned advocate draws our attention to an order passed by this court in CRM 154 of 2021 where another accused on similar footing prayed for bail and with specific observation, rejected the same.

Having considered the materials available in the case diary, more particularly, the seizure list connecting the petitioner in the alleged offence, we are of the opinion that the petitioner is not entitled to grant bail at this stage.

Accordingly, prayer for bail of the petitioner is rejected.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)