

17.03.2021.
43.
as
(Rejected)

C.R.M. 11104 of 2020

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Gangarampur P. S. Case No.339 of 2019 dated 07.09.2019 under Sections 302/201 of the Indian Penal Code and charge sheet submitted under Sections 302/315/201 of the Indian Penal Code and adding Section 14A(b) of Foreigners Act.

In the matter of : Majedur Rahaman @ Pintu Sarkar.
.... Petitioner.

Mr. Bibaswan Bhattacharyya.
...for the Petitioner.

Mr. Swapan Banerjee,
Mr. Suman De.
...for the State.

This is an application for bail in connection with Gangarampur P. S. Case No.339 of 2019 dated 07.09.2019 under Sections 302/201 of the Indian Penal Code and charge sheet submitted under Sections 302/315/201 of the Indian penal Code and adding Section 14A(b) of the Foreigners Act at the behest of the petitioner.

The learned Advocate appearing for the petitioner submits that he is in custody for about 552 days and although the investigation has been concluded but till date charge has not been framed. Accordingly, the learned Advocate prays that on any condition petitioner may be released on bail.

The learned Advocate appearing for the State opposes the prayer for bail and submits that the statement of the witnesses and the seizure which were effected clearly indicate direct complicity of the petitioner with the alleged offence.

We have perused the materials in the Case Diary and assessed the involvement of the petitioner in the alleged murder of the victim. Having regard to the incriminating materials appearing against the present petitioner and his complicity, we are not inclined to release the petitioner on bail.

As such, the prayer for bail of the petitioner is rejected.

(Harish Tandon , J.)

(Tirthankar Ghosh, J.)