

08.07.2021
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sl no. 17

CRM 11128 of 2020
(Through video conference)

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Banshihari P.S case no. 102 of 2019 dated 11.7.2019 under section 302 of the IPC

And

In Re : Sandeep Lakra petitioner

Mr. Bitasok Banerjee

..... for the petitioner

Mr. N Ahmed

Mr. Anwar Hossain

Ms. S Santra

..... for the State

Mr. Banerjee, learned advocate for the petitioner submits that he is a young person of only 23 years and he has been falsely implicated in the instant case. Upon completion of investigation, charge sheet has already been submitted on 6th October 2019 and as such further detention of the petitioner, who is in custody since 14th July 2019, is not necessary. Moreover, there is no possibility toward early conclusion of the trial.

Mr. Ahmed, learned advocate for the State opposes the petitioner's prayer and submits that it would be explicit from the statements of witnesses as recorded under section 161 Cr.P.C. that the petitioner is directly involved in the alleged offence. Date has been fixed on 6th August 2021 for framing of charge. The delay which has occasioned is not totally attributable to the State. Furthermore, the said period stands intervened by a period lost due to the pandemic.

We have heard the learned advocates appearing for the respective parties and considered the materials in the case diary.

Considering the gravity of the offence, extent of involvement of the petitioner in the alleged offence and the fact that the petitioner had been identified in the test identification parade, we are not inclined to exercise any discretion in his favour and as such his prayer for bail is rejected at this stage.

Accordingly, application being CRM 11128 of 2020 is dismissed.

(Suvra Ghosh, J.)

(Tapabrata Chakraborty, J.)