

17.03.2021

Item No.59

Ct.No.28

dc.

Rejected

C.R.M. 11186 of 2020

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Bharatpur P.S. Case No. 34 of 2020 dated 09.02.2020 under Sections 341/325/326/302/34 of the Indian Penal Code.

And

In Re : **Souris Biswas & Anr.**

... Petitioners.

Mr. Sumanta Das

... For the Petitioners.

Mr. Rana Mukherjee,
Ms. Sujata Das

... For the State.

This is an application for bail in connection with Bharatpur P.S. Case No. 34 of 2020 dated 09.02.2020 under Sections 341/325/326/302/34 of the Indian Penal Code at the behest of the petitioners.

The learned advocate appearing for the petitioners submits that the petitioners are in custody for 403 days and the investigation of the case having been concluded, further detention of the petitioners are not warranted.

The learned advocate appearing for the State opposes the prayer for bail and draws the attention of this Court to the statement of the injured person, *post mortem* report and the nature of injury which has been sustained by the victim.

We have perused the materials on record and we find that three of the accused persons are still absconding.

Having considered the complicity of the present petitioners and the materials appearing against them in the case diary, we are of the opinion that this is not a fit case for releasing the petitioners on bail. As such, the petitioners' prayer for bail is **rejected**.

The application for bail, being CRM 11186 of 2020, is, thus, dismissed.

(Harish Tandon, J.)

(Tirthankar Ghosh, J.)