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16.03.2021.
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**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction
Appellate Side**

CRM 253 of 2021

In Re : An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed on 15.02.2021 in connection with Sitalkuchi Police Station Case No. 69 of 2020 dated 07.06.2020 under Sections 302/324/326/34 of the Indian Penal Code, 1860 corresponding with GR Case No. 274 of 2020, corresponding Session Case No. 42 of 2020 (Session Trial No. 06 (01) of 2021.

And

In Re : Krishna Barman

... petitioner.

Mr. Hillol Saha Podder

... for the petitioner.

Ms. Aditi Shankar Chakraborty,
Mr. Aniruddha Biswas

... for the State.

The petitioner submits that he has a three-year-old child and the wife of the petitioner, who is also an accused, has been released on bail. The petitioner says that there is no material against the petitioner to implead him as an accused.

Learned advocate appearing for the State opposes the prayer for bail.

Upon perusal of the materials on record, it appears that the petitioner has been named in the statements recorded under Sections 161, 164 of the CrPC.

In view of the fact that as the trial has already commenced, we do not feel that this is an appropriate case where at this stage the petitioner should be granted bail.

Accordingly, the prayer for bail is rejected.

(Sabyasachi Bhattacharyya, J.)

(Kausik Chanda, J.)