

25.11.2021
Court No.01
Item No. 13
SH/SB

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

**C.R.M. 565 of 2021
(Via Video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure, 1973.

And

In Re : **Ajidul Haque @ Pancha**

Petitioner

Mr. Arnab Saha..... For the Petitioner

Mr. Aditi Sankar Chakraborty, Ld. APP

Mr. Aniruddha Biswas..... For the State

Mr. Saha, learned advocate for the petitioner submits that the petitioner has been falsely implicated in the instant case because of the social work, which he has been conducting. Learned advocate further submits that during the pendency of the revisional application, three witnesses have been examined which enures to the benefit of the present petitioner.

Learned advocate for the State has drawn the attention of this court to the earlier order wherein similar points canvassed by the petitioner, presently were already taken into consideration.

Having regard to the materials appearing before us, we are of the opinion that the petitioner is not entitled to bail. Accordingly, CRM 565 of 2021 is dismissed.

However, as the evidence of the case is in progress and the learned advocate has submitted that the same enures to the benefit of the petitioner but the same is not available along with the records presently, we could not consider the evidence which was recorded.

Liberty is granted to the petitioner to apply afresh enclosing the certified copies of the evidence and if there are change of circumstances.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(TIRTHANKAR GHOSH, J)

(SUBRATA TALUKDAR, J)