

15.06.2021

Court No.30
Item No.12
(DISMISSED)

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

(Via Video Conference)

CRM 641 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Sitalkuchi Police Station Case No. 83 of 2021, dated 10.04.2021 (G.R. Case No. 311 of 2021) under Sections 302/34 of the Indian Penal Code and Sections 25/27 of the Arms Act and Sections 3 / 4 of the Explosive Substances Act and adding Section 134B of the Representation of People Act.

And

In the matter of : **Abu Bakash Mia @ Bakash Mia**
...Petitioner

Mr. Hillol Saha Poddar.

...For the Petitioner

**Mr. Kallol Acharjee,
Mr. Biswarup Roy.**

...For the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that, the petitioner was falsely implicated in a charge of murder, since the petitioner is the male member of the family from which, a family member contested the Panchayat Election on behalf of a particular political party. The petitioner was implicated as a political vendetta.

Learned Advocate for the State submits that, the petitioner is named in the First Information Report. The petitioner is also named in the statement recorded under Section 164 of the Code of Criminal Procedure. He submits that the investigation is ongoing. Out of 12 accused 11 are absconding excepting the petitioner.

Considering the nature of offence alleged to be committed and considering the fact that the petitioner is named in the First Information Report and his name appears in the statement recorded under Section

164 of the Code of Criminal Procedure, we are not inclined to grant bail to the petitioner.

CRM 641 of 2021 is dismissed accordingly.

(Debangsu Basak, J.)

(Aniruddha Roy, J.)