

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

29.09.2021
Court No.01
Item No.34
Avijit Mitra

**CRM 768 of 2021
Through Video Conference**

In Re : An application for bail under section 439 of the Code of Criminal Procedure;

In Re : **Deepan Oraon**

..... petitioner

Mr. Debajit Kundu

..... for the petitioner

Mr. Aditi Shankar Chakraborty, Ld. A.P.P.,

Mr. Sourav Ganguly

..... for the State

The present application has been preferred in connection with Nagrakata Police Station Case No.84 of 2020 dated 04.09.2020 under Section 302 of the Indian Penal Code.

Mr. Kundu, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. The allegations levelled are omnibus in nature. Upon completion of investigation chargesheet has also been submitted, however, there has been no progress in the trial and in the midst thereof, the petitioner has already been suffered incarceration for more than a year and as such, the petitioner may be enlarged on any stringent condition.

Mr. Ganguly, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the

statement of the witnesses as recorded under Section 164 of the Code and the seizure list.

He further submits that the petitioner is the sole accused and chargesheet has been submitted.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the gravity of the offence and the extent of complicity of the petitioner in the alleged offence, we are not inclined to allow the petitioner's prayer for bail at this stage.

The application for bail being CRM 768 of 2021 is dismissed.

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

(Abhijit Gangopadhyay, J.)

(Tapabrata Chakraborty, J.)