

17.08.2021

court no. : 28
Item no. : JCB - 08
matter : 439
status : REJECTED
transcriber : nandy

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

(Via Video Conference)

CRM 799 of 2021

In Re:- An application for **Bail** under Section **439** of the Code of Criminal Procedure filed on 02.08.2021 in connection with Maynaguri Police Station Case No. 298 of 2020 dated 18.08.2020 under Section 302 of the Indian Penal Code. (G.R. Case No. 3545 of 2020)

and

In the matter of: **Satyen Roy @ Chandia**

.....Petitioner

Mr. Debajit Kundu, Advocate

.....for the Petitioner

Mr. Arun Sarkar, Advocate

Mr. Sourav Ganguly, Advocate

.....for the State

The Advocate-on-record of the petitioner undertakes to affirm and stamp the petition/application as per the Rules within four weeks from date. Subject to such undertaking the application is taken up for hearing.

The petitioner has filed the instant application for bail in connection with Maynaguri Police Station Case No. 298 of 2020 dated 18.08.2020 under Section 302 of the Indian Penal Code.

This is the second application for bail at the behest of the petitioner before this Court. The earlier application being CRM 247 of 2021 was rejected on March 15, 2021.

The learned Advocate for the petitioner submits that the

statement of the so-called eyewitnesses do not disclose any incriminating material against the petitioner and, therefore, the petitioner should be released on bail.

We have gone thorough the earlier order passed in CRM 247 of 2021, wherefrom we find that the name of the petitioner was disclosed by the eye-witnesses and considering the gravity of offence the prayer for bail was rejected earlier. Simply because the date of detention has increased, it cannot be termed as changed circumstances warranting a different decision to be taken. We do not find any ground or material to allow the prayer for bail.

As such, the prayer for bail is **rejected**.

The application being **CRM 799 of 2021** is accordingly **dismissed**.

However, we request the trial Court to expedite the trial of the case.

(Harish Tandon, J.)

(Bibek Chaudhuri, J.)