

CRM(DB) No.8 of 2022
Via video conference

14.02.22
(S.R.)
Sl.18
Ct.32

In re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Hemtabad** Police Station Case No.12 of 2021 dated 28/01/2021 under Sections 302/34 of the Indian Penal Code with subsequent addition of Sections 25(i)(a)/27/35 of the Arms Act (G.R. Case No.152 of 2021);

And

In re: Ranjit Barman

... petitioner.

Mr. Sekhar Kumar Basu, Sr. Adv.
Mr. Antarikhya Basu
Ms. Madhumita Basak

... for the petitioner.

Mr. Swapan Banerjee
Mr. Suman De

...for the State.

Mr. Basu, learned senior advocate appearing for the petitioner submits that the petitioner has been falsely implicated on a purported plea that the money bag of the victim was recovered from the house of the petitioner. Upon completion of investigation charge sheet has been submitted and as such, further detention of the petitioner, who is in custody for about 352 days, may not be necessary and he may be enlarged on bail on any stringent condition.

Such prayer has been opposed by Mr. Banerjee, learned advocate appearing for the State and he submits that another co-accused person, namely, Jainul is still absconding. He draws our attention to the statements of the witnesses, the post mortem report as well as the seizure list.

Upon assessing the materials in the case diary, we find incriminating materials against the petitioner. It appears from the seizure list that a motorbike along with the money bag and other documents being the Aadhar Card and Ration Card of the victim were recovered from the house of the petitioner. Considering the nature of

accusations, the gravity of the offence, its ramifications and the extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise any discretion in his favour. As such, his prayer for bail is refused at this stage.

The application for bail being CRM(DB) No.8 of 2022 is, accordingly, dismissed.

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

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)