

CRM(DB) No.81 of 2022

Via video conference

21.02.22

(S.R.)

Sl.10

Ct.32

In re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Santipur** Police Station Case No.1008 of 2021 dated 30/11/2021 under Sections 279/337/338/427/304 of the Indian Penal Code;

And

In re: Tofajul Sk @ Tuffazul

... petitioner.

Ms. Sananda Bhattacharyya

... for the petitioner.

Ms. Zareen N. Khan

Mr. Ashok Das

...for the State.

Ms. Bhattacharyya, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. He is languishing in custody for about 82 days and there is no possibility towards conclusion of the trial in the near future. In view thereof, he may be enlarged on bail on any stringent condition.

Mr. Das, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statements of the injured witnesses, the injury report and other documents in the case diary.

Heard the learned advocates and considered the materials in the case diary.

Prima facie, it appears that the petitioner was driving the vehicle upon consuming alcohol. In the incident six persons have been injured and one has already expired. Considering the seriousness of the offence, the injury report and the extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise any discretion in his favour and his prayer for bail is refused at this stage.

The application for bail being CRM(DB) No.81 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.)