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03.02.2022
(sourav)
Court No.29

CRM (DB) 270 of 2022
(Via Video Conference)

(Rejected)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **27.01.2022** in connection with **Santipur** Police Station Case No. **1022** of **2021** dated **03.12.2021** under Sections **448/376/323/406/506** of the Indian Penal Code.

And

In the matter of: **Biplab Biswas.**

....petitioners.

Ms. Sananda Bhattacharyya

...for the petitioners.

Mr. Debabrata Chatterjee, Ld. APP

Ms. Manisha Sharma

... for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated. She contends that there is a dichotomy between the statements made under Section 156(3) of the Criminal Procedure Code and the statement recorded under Section 164 of the Criminal Procedure Code. There is an unexplained delay in filing the First Information Report.

Learned Advocate appearing for the State draws the attention of the Court to the contents in the case diary including the statement recorded under Section 164 of the Criminal Procedure Code.

Considering the gravity of the offence and the involvement of the petitioner as prima facie appearing therein, we are unable to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

C.R.M. (DB) 270 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

