

04.02.2022

Sl. 48
Court No.29
suvayan
(Rejected)

C.R.M. (DB) 328 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 01.02.2022 in connection with **Khargram** P.S. Case No. **286 of 2021** dated **24/08/2021** under Sections **302 and 34** of the Indian Penal Code.

And

In the matter of: Sri Shankhu @ Shanka Ghosh & Anr.

....petitioners.

Mr. Sanjib Seth

...for the petitioners.

Ms. Minati Gomes

...for the defacto complainant.

Mr. Saibal Bapuli

Mr. Bibaswan Bhattacharya

...for the State.

Petitioners seek bail.

Learned Advocate appearing for the petitioners submits that the petitioner no.1 is in custody for 118 days and that the petitioner no.2 is in custody for 159 days. He submits that since the police filed charge-sheet further detention of the petitioners is not required.

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

Considering the gravity of the offence and the complicity of the petitioners therein as appearing from the materials in the case diary, we are unable to grant bail to the petitioners.

Accordingly, the prayers for bail of the petitioners are rejected.

C.R.M. (DB) 328 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)