

04.02.2022

Sl. 51

Court No.29

suvayan

(Rejected)

C.R.M. (DB) 337 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 28.01.2022 in connection with **Bolpur** P.S. Case No. **50/21** dated **27/02/2021** under Sections **376(1)/323/448/506** of the Indian Penal Code.

And

In the matter of: Basir Sk. @ Sekh Basir

....petitioner.

Mr. Sanjib Kumar Dan

Mr. Saryati Datta

...for the petitioner.

Mr. Tanmay Kumar Ghosh

Mr. Arindam Sen

...for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated in the instant case. He submits that the police complaint is as a result of a family dispute. Learned Advocate for the petitioner draws the attention of the Court to the fact that the First Information Report was lodged 76 days after the incident and that the petitioner is in custody for 66 days. He submits that the police filed charge-sheet.

Learned Advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Criminal Procedure Code.

Considering the gravity of the offence and the complicity of the petitioner appearing from the materials in the case diary including the statement recorded under Section 164 of the Criminal Procedure Code of the victim, we are unable to grant bail to the petitioner.

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

C.R.M. (DB) 337 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)