

CRM (DB) 474 of 2022

In re : An Application for bail under Section 439 of the Code of Criminal Procedure filed on 15.02.2022 in connection with Gangarampur P.S. Case No. 268 of 2021 dated 22.07.2021 under Sections 302/34 of the Indian Penal Code and charge-sheet submitted under Sections 302/120B/379/411/34 of the Indian Penal Code.

-And-

In the matter of: **Gobindo Haldar**

... ..Petitioner

Mr. J.N. Chatterjee, Advocate

Ms. Busra Khatun, Advocate

... .. For the Petitioner

Mr. Saibal Bapuli, Id. APP, Advocate

Mr. Bibaswan Bhattacharya, Advocate

... .. For the State

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for 235 days. The police filed charge-sheet and, therefore, further detention of the petitioner is not required. He submits that initially the petitioner was not implicated. Thereafter, in the statement recorded under Section 164 of the Code of Criminal Procedure of a person claimed to be the eye witness to the incident the petitioner was implicated.

Learned Advocate appearing for the State submits that the petitioner stands implicated by the statement of the eye witness recorded under Section 164 of the Code of Criminal Procedure.

Considering the gravity of the offence and the involvement of the petitioner therein as transpiring from the materials available in the case diary including the statement recorded under Section 164 of the Code of Criminal Procedure, we are unable to grant bail to the petitioner.

CRM (DB) 474 of 2022 is rejected

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)