

29 22.02.2022
(AD) Court No.29
(Rejected)

C.R.M. (DB) 486 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Sankrail** P.S. Case No.**47 of 2021** dated **16/05/2021** under Sections **376(2)(L)** of the Indian Penal Code, 1860 (Corresponding to S.C. Case No.30/2021).

And

In the matter of: Swapan Mahata @ Swapan Kumar Mahata
....petitioner.

Mr. Sanjib Kumar Dan
Mr. S. Datta

...for the petitioner.

Mr. Rudradipta Nandy

... for the State.

Petitioner renews the prayer for bail.

Learned Advocate appearing for the petitioner submits that the petitioner will superannuate on February 28, 2022 and requires to file the necessary relevant documents for the purpose of obtaining the retiral benefits. Therefore, the prayer for bail should be considered.

Learned Advocate appearing for the State draws the attention of the Court to the order dated November 16, 2021 by which the prayer for bail of the petitioner was rejected.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the fact that there is hardly any change in circumstances subsequent to the earlier order of rejection dated November 16, 2021 passed in CRM 7265 of 2021, we are unable to grant bail to the petitioner.

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

However, the Superintendent of the Correctional Homes where the petitioner is lodged is requested to facilitate the petitioner to submit the documents relating to his employment and superannuation.

C.R.M. (DB) 486 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)