

22.03.2022
Serial no.54
[Dd]
(Bail **Rejected**)

CRM (DB) 711 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Jagaddal** Police Station Case No. **337** of **2021** dated **02.05.2021** and reinvestigated by the CBI in FIR No. **RC0562021S0027 (CBI/DSPE/SCB/Kolkata)** of 2021 dated **28.08.2021** under Sections **302/34** of the Indian Penal Code and **25/27** of the Arms Act.

-And-

In the matter of : Rahul Paswan

... ..Petitioner

Mr. Souma Subhra Ray, Advocate
... .. For the Petitioner

Mr. Y. J. Dastoor, Id. ASG
Mr. Phiroze Edulji,
Mr. Samrat Goswami, Advocates
... ..For the CBI

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner is 19 years of age. The petitioner is not named in the First Information Report. His name does not transpire from the statement of the brother of the victim recorded under Section 164 of the Criminal Procedure Code. His name transpires for the first time from a statement of the uncle of the victim recorded under Section 164 of the Criminal Procedure Code. No specific role was attributed to the petitioner in such statement also.

The police filed charge sheet and, therefore, further detention of the petitioner is not required.

Learned advocate appearing for the Central Bureau Investigation submits that although a charge sheet was submitted, the CBI are continuing with the investigations.

According to him, the victim was soft point blank by the assailant. The petitioner was part of the assembly.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the fact that CBI is yet to conclude the investigations, we are not inclined to grant bail to the petitioner at this stage.

Consequently, prayer for bail of the petitioner is **rejected**.

CRM (DB) 711 of 2022 is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)