

23.03.2022
Serial no. 37
[G.S.D]

CRM (DB) 793 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Sessions Case No. 1 of 2022** arising out of **Asansol (North)** Police Station Case No. **265 of 2021** dated **August 30, 2021** under Sections **302/201/120B** of the IPC, 1860 corresponding to G.R. Case No. 2491 of 2021.

-And-

In the matter of : Bikky Kumar Barman

... .. Petitioner

Mr. Apurba Kr. Datta

... .. For the Petitioner

Mr. Z. N. Khan

Mr. Kutubuddin, Advocates

... ..For the State

The petitioner seeks bail.

Learned Advocate for the petitioner submits that the petitioner is in custody in excess of 200 days. The police filed Charge-sheet and therefore further detention of the petitioner is not required. He also submits that the petitioner is not complicit in the offence of murder.

Learned Advocate for the State draws the attention of this Court to the statement of an eye-witness recorded under Section 164 of the Cr.P.C. She submits that the petitioner was present at the time of the incident. Moreover, a prayer for bail in respect of another co-accused was rejected by this Court on 7.03.2022 in CRM (DB) 625 of 2022.

The statement of witnesses recorded under Section 164 of the Cr.P.C. implicates the petitioner in the incident.

Considering the gravity of the offence and the materials in the case diary and also the involvement of the

petitioner in the incident, we are not inclined to enlarge the petitioner on bail.

The prayer for bail of the petitioner is **rejected**.

CRM (DB) 793 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)