

04.04.2022
Sl. 42
Court No.29
sourav
(Rejected)

C.R.M. (DB) 877 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Rishra** Police Station Case No. **129** of **2017** dated **18.10.2017** under Sections **364/367/302/201/120B/34** of the Indian Penal Code.

And

In the matter of: **Rakesh Singh & Ors.**

....petitioners.

Mr. Sudip Ghosh Chowdhury,

...for the petitioners.

Mr. Nguive Ahmed, Ld. APP,

Ms. Trina Mitra,

...for the State.

Petitioners pray for bail.

Learned advocate appearing for the petitioners submits that the petitioners were falsely implicated. The petitioners were taken into custody with regard to a police complaint of Narcotic Drugs and Psychotropic Substances Act, 1985. The petitioners were shown arrested in this matter consequent upon the statement of the co-accused made while in custody and that too four years from the date of the custody. He refers to Section 167(5) of the Criminal Procedure Code. He highlights the period of detention of the petitioners.

Learned Additional Public Prosecutor appearing for the State submits that there are criminal antecedents of the petitioners. Not only they are involved in the NDPS Act case but also under the Arms Act. Bodies of two other victims are yet to be recovered.

Considering the gravity of the offence and the involvement of the petitioners therein as transpiring from the materials in the case diary and considering the criminal antecedents of the petitioners, we are unable to enlarge the petitioners on bail.

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

C.R.M. (DB) 877 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

