

C.R.M. 3281 of 2021

64 02.03.2022
(AD) Court No.29
(Rejected)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **NDPS Case No.168 of 2019** arising out of **Raninagar** P.S. Case No.**436 of 2019** dated **30/08/2019** under Sections **326/307/34** of the Indian Penal Code, read with Sections **25/27** of the Arms Act and adding Section **21(c)** of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of: Lalon Sk @ Lalan Sk.

....petitioner.

Mr. Niladri Sekhar Ghosh
Mr. Tapodip Gupta

...for the petitioner.

Mr. Sudip Ghosh
Mr. Bitasok Banerjee

... for the State.

Supplementary affidavit filed in Court be taken on record.

Petitioner renews the prayer for bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody in excess of two years and three months. The petitioner was falsely implicated.

Learned Advocate appearing for the State submits that the petitioner is the principal accused who used the firearm to shoot at the victim. He refers to the statement of the victim and the materials in the case diary. He submits that firearm was recovered on the leading statement made by the petitioner.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the fact that there is hardly any material change in circumstances subsequent to the order earlier order of rejection, we are unable

to grant bail to the petitioner.

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

C.R.M. 3281 of 2021 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)