

11.05.2022
Serial no.59
Aloke
Ct. No. 29

CRM (DB) 1239 of 2022

In re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Gangnapur P.S. Case No. 65 of 2021 dated 03.05.2021 under Sections 341/302/325/326/307/506/34 of the Indian Penal Code.

-And-

In the matter of : **Sukhdeb Biswas**

... ...Petitioner

Mr. Sayan Kanjilal, Advocate

... ... For the Petitioner

Mr. Dhiraj Trivedi, Id. Asst. SG

Mr. Samarat Goswami, Advocate

... ... For the CBI

Petitioner prays for bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody in excess of 11 months. The Central Bureau of Investigation filed charge-sheet and, therefore, further detention of the petitioner is not required. The incident is political in nature. By reason of the political ideology of the petitioner, he is being falsely implicated.

Learned Assistant Solicitor General submits that the petitioner is named as one of the main assailants in three statements of the eye witnesses recorded under Section 164 of the Code of Criminal Procedure apart from other materials in the case diary.

There are statements of eye witnesses recorded under Section 164 of the Code of Criminal Procedure squarely implicating the petitioner amongst others in the incident that the petitioner is charged with.

In such circumstances, considering the gravity of the offence and the involvement of the petitioner therein as

transpiring from the materials in the case diary, we are unable to grant bail to the petitioner.

CRM (DB) 1239 of 2022 is rejected.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)