

19.01.2022
tkm/ct 32
sl no. 258

C.R.M. 7584 of 2021
(Via video conference)

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Chittaranjan P.S Case no. 4 of 2021 dated 17.1.2021 under sections 302/120B/34 of the IPC read with sections 25/27 of the Arms Act

And

In Re : Gulab Das

..... petitioner

Mr. Sujoy Chakraborty

Ms. S Bhattacharjee

..... for the petitioner

Mr. Swapan Banerjee

Ms. Purnima Ghosh

..... for the State

Mr. Chakraborty, learned advocate appearing for the petitioner submits that the petitioner is languishing in custody for 334 days and there is no possibility towards conclusion of trial in the near future. He further submits that no specific overt act has been attributed to the petitioner and he was 11 days in police custody. There had been no seizure of any firearm from him. Upon completion of investigation, charge sheet has also been submitted. Co-accused persons similarly situated had already been enlarged on bail by a Co-ordinate Bench of this Court. In the said conspectus, the petitioner may be enlarged on bail on any stringent condition.

Mr. Banerjee, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statements of the witnesses as recorded under section 161 of the Code, the seizure list and the post mortem report.

Heard the learned advocates and considered the materials in the case diary. Prima facie we find strong incriminating materials on record against the petitioner. The possibility of his abscondence also cannot be totally ruled out.

Considering the gravity of the offence, nature of accusations and the extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise any discretion in favour of the petitioner and as such his prayer for bail is refused at this stage.

The application being CRM 7584 of 2021 is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Ajoy Kumar Mukherjee, J.)

(Tapabrata Chakraborty, J.)