

17.01.2022
tkm/ct 32
sl no. 27

C.R.M. 8432 of 2021
(Via video conference)

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Chapra P.S Case no. 321 of 2021 dated 11.8.2021 under sections 448/326/307/34 of the IPC
And

In Re : Uttam Ghosh petitioner

Mr. Kallol Mondal
Mr. Amanul Islam
Mr. Sourav Mukherjee
..... for the petitioner

Mr. Binay Panda
Ms. Puspita Saha
..... for the State

Mr. Mondal, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. The principal accused is one Jaladhar Ghosh. No specific overt act has been attributed to the petitioner. Upon completion of investigation, charge sheet has already been submitted and as such further detention of the petitioner, who is in custody about 158 days, is not warranted.

Ms, Saha, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statements of the de facto complainant and the other witnesses recorded under section 161 of the Code and the injury report.

We have heard the learned advocates and considered the materials in the case diary.

Prima facie, we find strong incriminating materials on record against the petitioner. Considering the seriousness of the offence 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 8432 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.)