

23.11.2022
tkm/ct 28
sl no.59

C.R.M. (DB) 4103 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Bhatpara Police Station Case No.282 of 2021 dated 6.6.2021 under Sections 120B/302/307/323/326/506/34 of the Indian Penal Code and sections 3/4 of the Explosive Substances Act

And

In Re : Tuntun Chowdhury

..... petitioner

Mr. Arindam Jana
Mr. S Chatterjee

..... for the petitioner

Mr. Dhiraj Trivedi, Id. DSGI
Mr. Kallol Mondal

..... for the CBI

Petitioner is in custody for 134 days. He submits he has been enlarged on bail. His bail came to be cancelled by this court vide order dated 13.7.2022 in CRM (DB) 14 of 2022. Thereafter, he surrendered before the jurisdictional magistrate. He is in detention for 255 days. He prays for bail.

Learned Deputy Solicitor General opposes the prayer for bail and submits petitioner is the principal accused. He had misused his liberty. Prayer has been made to obtain sanction for submission of charge sheet under the provisions of Explosive Substances Act.

We have considered the materials on record. Petitioner is the principal accused. He threw bomb at the victim. As a result, he died.

In view of the gravity of the offence and prior conduct of the petitioner which resulted in cancellation of bail, we do not consider it prudent to enlarge the petitioner on bail at this stage.

Accordingly, the prayer for bail is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)