

25.08.2022

Sl. No.6

akd

[Rejected]

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

C. R. M. (DB) 291 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 22.08.2022 in connection with Kharibari Police Station Case No. 210 of 2021 dated 22.07.2021 under Section 395 of the Indian Penal Code read with Sections 25/27 of the Arms Act.

And

In Re: ***Md. Golam Mustafa & Anr.***

... .. Petitioners

Mr. Ayan Basu
Mr. Amit Roy
Mr. Sumit Routh

... .. for the petitioners

Mr. Aditi Sankar Chakraborty .. Id. Addl. Public Prosecutor
Mr. Ujjwal Luksom

... .. for the State

Petitioners renew their prayer for bail. It is submitted on behalf of the petitioners that petitioner no.1 was not put up for identification in Test Identification Parade.

Learned advocate appearing for the State opposes the prayer for bail and submits petitioners had committed dacoity. Over one lakh was recovered from the possession of petitioner no.1.

We have considered the materials on record. Petitioner no.2 was identified in course of Test Identification Parade. Stolen cash was recovered from petitioner no.1 soon after the dacoity. Prayer for bail of the petitioners was rejected in June, 2022 and there is no change in circumstance since then. Under such circumstances, we are not inclined in granting bail to the petitioners at this stage.

The application for bail is thus **rejected**.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)

