

10.01.2023
Sl. No.22
akd
[Rejected]

C. R. M. (DB) 63 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 04.01.2023 in connection with Hanskhali Police Station Case No.675 of 2021 dated 26.09.2021 under Sections 341/325/379/326/307/34 of the Indian Penal Code read with Sections 25/27 of the Arms Act.

And

In Re: ***Tapan Kumar Biswas @ Tapan Biswas @ Kutu***
... .. Petitioner

Mr. Sourav Chatterjee
Mr. Saikat Mondal
... .. for the petitioner

Mr. Neguive Ahmed .. Id. Addl. Public Prosecutor
Ms. Ayantika Roy
... .. for the State

Petitioner renews his prayer for bail. It is submitted on behalf of the petitioner that he is in custody for about 165 days. It is further submitted petitioner has suffered bullet injuries in course of the incident.

Learned Additional Public Prosecutor opposes the prayer for bail and submits petitioner had fired at the victim resulting in gunshot injury. Firearm was recovered from his possession. De-facto complainant, who is a police officer, had to fire from his licensed gun in self-defence.

We have considered the materials on record. Statements of witnesses show petitioner had fired at the victims. Medical papers corroborate such fact. One of the victims suffered injuries on the vital part of the body. Injury on the petitioner has also been explained. In view of the aforesaid circumstances and gravity of the offence, we are not inclined to grant bail to the petitioner at this stage.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

