

16.02.2023.
47.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 635 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Jhargram P.S. Case No.55 of 2021 dated 21.03.2021 corresponding to Branch Case CBI/SCB/Kolkata being Case No.RC0562021S0041 dated 21.09.2021 under Sections 325/326/307/34 of the Indian Penal Code and adding Section 302 of the Indian Penal Code.

In the matter of : Bijoy Patar @ Bijay Patar.

... Petitioner.

Mr. Malay Bhattacharyya,
Mr. Subhrajyoti Ghosh.

...for the Petitioner.

Mr. Arun Kr. Maity,
Mr. Amajit De, Spl. P.P.,
Mr. Manabendra Nath Bandyopadhyay.

...for the CBI.

Petitioner is in custody for 377 days. He submits there is no overt act attributed to him. He prays for bail.

Learned Advocate for the CBI opposes the bail prayer.

We have considered the materials on record. Petitioner was a member of the unlawful assembly who were variously armed and assaulted the victim. As a result, he died. Trial is in progress.

In view of the aforesaid materials on record and gravity of offence, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

