

30.03.2023
ct 28/tkm
sl no.63

C.R.M. (DB) 1253 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Entally P.S, case no. 314 of 2022 dated 12.10.2022 under sections 307/34 IPC and sections 25(1B)(a)/27 Arms Act.

And

In Re : Banty Patra petitioner

Mr. Sanat Kumar Das
Mr. Sujan Chatterjee
Mr. Souparna Sinha
Ms. Atreyee Halder

..... for the petitioner

Mr. Neguive Ahmed, APP
Ms. Jonaki Saha

..... for the State

Petitioner is in custody for 165 days. He submits he was not identified by the victim. He prays for bail.

Learned lawyer for the State opposes the bail prayer. He submits eye-witnesses had identified the victim. He has criminal antecedent.

We have considered the materials on record. Victim had been accosted by a number of persons, one of whom shot at him. He suffered gun-shot injuries and was admitted. Though victim was unable to identify the petitioner during TI Parade, they identified the petitioner. Fire arms have also been recovered. He has criminal antecedents.

Under such circumstances, we are not inclined to grant bail to petitioner at this stage.

Accordingly, prayer for bail is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)