

02.05.2023

44
sdas
rejected

C.R.M. (DB) No. 1776 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chinsurah Police Station Case No. 407 of 2022 dated 06.08.2022 under Sections 307/120B of the Indian Penal Code read with Sections 25/27/35 of the Arms Act.

And

In Re : Goutam Pal @ Babu petitioner

Mr. Sekhar Kumar Basu, Sr. Adv.

Mr. B. Banerjee

Mr. D. Mukherjee

... for the petitioner

Mr. S. G. Mukherji, learned PP

Mr. P. K. Datta, learned APP

Mr. Santanu Deb Roy

... for the State

Learned Counsel for the petitioner submits he was not present at the place of occurrence. He has been falsely implicated due to suspicion. He prays for bail.

Learned Public Prosecutor opposes the prayer for bail.

We have considered the materials on record. Petitioner had enmity with the victim who was in custody. On the way to hospital victim was fired at and suffered life threatening gun shot injuries. Investigation reveals recovery of notes written by petitioner to the co-accused who had fired at the victim. These materials implicate the petitioner in the crime. Keeping in mind the aforesaid incriminating materials 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.)

