

AD-38  
Ct No.01  
Jalpaiguri  
02.02.2023  
TN

**Calcutta High Court  
In The Circuit Bench at Jalpaiguri  
Appellate Side**

**CRM (DB) 22 of 2023**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **03.01.2023** in connection with **Sahebganj** Police Station Case No. **273** of **2022** dated **27.07.2022** under Sections **447/302/506/34** of the **IPC**.

And

In the matter of: **Bappa Hoque**

.... Petitioner

Mr. Sourav Kar

... for the petitioner

Mr. Aditi Shankar Chakraborty,  
Ms. Namrata Das

... for the State

Learned counsel for the petitioner contends that the petitioner is in custody already for 173 days. Moreover, the other co-accused person is absconding and, as such, the outcome of the trial is uncertain at present. On such grounds, the petitioner seeks bail.

Learned counsel appearing for the State vehemently opposes such prayer and submits that the petitioner is a habitual offender and is the principal accused not only in the present case but also in several other cases in the locality.

Keeping in view the above circumstances, we are disinclined to grant bail at this stage in view of the antecedents of the petitioner.

Accordingly, CRM (DB) 22 of 2023 is dismissed.

**(Sabyasachi Bhattacharyya, J.)**

**(Rai Chattopadhyay, J.)**