

10.05.2023
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IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M.(DB) 173 of 2023

In Re: An application for bail under Section 439 of the Code
of Criminal Procedure, 1973.

And

In the Matter of : Sampad Sarkar

.... petitioner.

Mr. Subhasish Misra

.....For the petitioner.

Mr. Aditi Shankar Chakraborty, Ld. APP,
Mr. Tapan Bhattacharjee

.....For the State.

1. This is an application for grant of bail filed under Section 439 of the Code of Criminal Procedure, 1973 in connection with Kotwali Police Station Case No. 1002 of 2022 dated 7th September, 2022 under Section 364 of the Indian Penal Code, 1860 adding Sections 120B/302/201 of the Indian Penal Code corresponding to G. R. Case No.1520 of 2022 pending before the learned Chief Judicial Magistrate, Cooch Behar.
2. The petitioner prays for bail. The learned advocate for the petitioner submits that the petitioner is in custody for 244 days. He further submits that charge sheet has been filed and the trial has not commenced as yet.

3. Learned advocate for the State opposes the prayer for bail.
4. After hearing the parties and considering the materials on record and in particular the case diary which has been produced in Court today, we are not inclined to grant bail to the petitioner at this stage.
5. Accordingly, the prayer for bail is rejected.

(Ananya Bandyopadhyay, J.) (Arindam Mukherjee, J.)