

10.01.2024.
47.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 58 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Belpahari P.S. Case No.11 of 2023 dated 10.02.2023 under Sections 120B/386/34 of the Indian Penal Code read with Sections 25(1B)(a)/25(6)/27 of the Arms Act.

In the matter of : **Damodar Mohanty @ Damodar Mahanti.**

... Petitioner.

Mr. Milon Mukherjee, Id. Sr. Adv.,
Mr. Avik Ghatak,
Mr. Aritra Bhattacharyya.

...for the Petitioner.

Mr. Partha Pratim Das, Id.A.P.P.,
Mr. Arup Sarkar.

...for the State.

1. Mr. Mukherjee submits that his client was not involved in the alleged extortion racket. Accordingly, he prays for bail.

2. Learned Advocate for the State contends bail prayer of co-accused has been turned down and date has been fixed for recording evidence.

3. We have considered the materials on record. Accused had personated as members of a banned organisation and demanded money. Petitioner is alleged to be a conspirator. Date has been fixed for examination of witnesses. Vulnerable witness i.e. victim is yet to be examined.

4. Hence, we are not inclined to grant bail to the petitioner at this stage.

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

6. We direct the trial court to examine the vulnerable witness at the earliest and conclude the same at an early date without granting unnecessary adjournment to either of the parties.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)