

05.04.2024.
22.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 1007 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection Nandigram P.S. Case No.71 of 2014 dated 27.02.2014 under Section 302 of the Indian Penal Code and charge sheet submitted under Sections 396/412 of the Indian Penal Code.

In the matter of : **Uttam Pati.**

... Petitioner.

Mr. Kallol Kr. Basu,
Mr. Anindya Sundar Das,
Md. Jannat Ul Firdous,
Mr. Subrata Mondal.

...for the Petitioner.

Mr. Partha Pratim Das,
Ms. Pallalvi Priyadarshee.

...for the State.

1. Petitioner submits he was on bail earlier. Due to miscommunication he failed to appear and warrant of arrest came to be issued. He was re-arrested and is in custody for 30 days. Marriage of his daughter is scheduled in April, 2024.

2. Learned Advocate for the State opposes the bail prayer. He submits petitioner had absconded for six years.

3. We have considered the materials on record. There are materials implicating the petitioner in the offence of dacoity with murder. Offences, if proved, would attract mandatory life imprisonment. He was released on bail earlier but absconded for six years.

4. In view of his aforesaid conduct we are not inclined to release him on bail even on the humanitarian plea of his daughter's marriage.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)