

CRM (DB) 1720 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Kotwali Police Station** Case No. **994 of 2023** dated **13.10.2023** under Sections **395/412/34** of the Indian Penal Code.

- A n d -

In the matter of : Bhagwan Das & Anr.

.... Petitioners.

Mr. Soubhik Mitter,
Mr. S M. Alam,

... For the Petitioners.

Mr. Subroto Roy,
Mr. Pinky Sarkar,

... For the State.

The petitioners say that they have been framed. Repeated complaints are being lodged against them for the alleged offence of dacoity.

In the present case, there is no sufficient incriminating evidence against them. They are in custody for more than six months. Charge sheet has been submitted upon completion of investigation. Their continued detention is not necessary.

Learned Advocate for the State, while opposing the prayer for bail, produces the material in the case diary. The petitioners have been identified in T.I. parade.

We find that there is sufficient *prima facie* evidence against the petitioners. The offence alleged is serious in nature.

On an overall assessment of the facts and circumstances of the case and the *prima facie* complicity of the petitioners in the

alleged crime, we are not inclined to allow this application for bail at this stage.

CRM (DB) 1720 of 2024 is, thus, dismissed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)