

25. 05.07.2024
Court
No.28 (Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 1901 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kulpi P.S. Case No. 307/2021 dated 04.10.2021.

And

In the matter of: - **Saifuddin Purkait**

Mr. Mrityunjoy Chatterjee, Adv.,
Mr. Debapriya Majumder, Adv.

...for the petitioner.

Ms. Anasuya Sinha, Adv.,
Mr. Samrajit Balial, Adv.

...for the State.

The petitioner renews his prayer for bail which was rejected earlier by a co-ordinate Bench by an order dated April 2, 2024, in CRM (DB) 669 of 2024. The history of this petitioner is recorded in that order. We do not repeat the same. We only record that after bail that was earlier granted to the petitioner, was cancelled by a Division Bench of this Court, the petitioner obtained an order from a learned Single Judge in a criminal revisional application directing the learned Trial Court to permit the petitioner to be on bail that had been granted earlier. The co-ordinate Bench in its earlier order noted that the learned Single Judge could not have done so since the bail already stood cancelled by the Division Bench. Hence, the learned Trial Court rightly took the petitioner into custody.

We have the feeling that the petitioner suppressed the fact that the bail was cancelled by the Division Bench and thereby obtained an order from the learned Single Judge.

Further, the charge is of murder. There are *prima facie* incriminating material against the petitioner. We are told that witness action has already begun.

In view of the aforesaid, we are not inclined to entertain the petitioner's prayer for bail.

Therefore, the prayer for bail is rejected.

The application being CRM (DB) 1901 of 2024 is accordingly dismissed.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)