

18.01.2024.
27.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 4831 of 2023

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 under Sections 386/34 of the Indian Penal Code and adding Sections 25(6)/27 of the Arms Act.

In the matter of : **Krishnendu Mitra.**

... Petitioner.

Mr. Allen Felix.

...for the Petitioner.

Mr. Pravas Bhattacharya,
Mr. Dipankar Paramanick.

...for the State.

1. Report submitted on behalf of the State be kept on record.
2. Petitioner submits he has been falsely implicated. His signature was forged in the second seizure list. He is suffering from mental depression. Accordingly, he prays for bail.
3. Learned Advocate for the State contends bail prayer of the petitioner and others were rejected earlier. Date has been fixed for recording evidence.
4. We have considered the materials on record. Allegations show petitioner and others had posed as members of a banned organisation and sought to extort businessmen. On merits bail prayer was rejected earlier.

Date has been fixed for recording evidence. Possibility of intimidating/tampering witnesses cannot be ruled out.

5. Under such circumstances, we are not inclined to grant bail to the petitioner.

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

7. We request the trial court to take necessary steps for rendering counseling and other medical assistance to the petitioner, if necessary.

8. We also request the trial court to ensure that the prosecution witnesses are examined in the course of the schedule fixed in the month of February, 2024.

9. Parties shall communicate this order to the trial court for due compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)