

25.02.2025
77 to 78
Court No.26
S.D.
Rejected

CRM (DB) 2991 of 2024

In re: An Application for **Bail** under Section **439** of the Code of Criminal Procedure, 1973 read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **B. Garden** Police Station Case No. **48** dated **21.04.2021** under Sections **341/326/307/195A/506/34** of the Indian Penal Code.

-And-

In the matter of: Vikash Singh also known as Vicki
... .. Petitioner

With

CRM (DB) 3008 of 2024

In re: An Application for **Bail** under Section **439** of the Code of Criminal Procedure, 1973 read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **B. Garden** Police Station Case No. **218** dated **29.12.2020** under Sections **302/326/120B/34** of the Indian Penal Code adding Section 413 of the Indian Penal Code and Section 66D of the Information Technology Act.

-And-

In the matter of: Vikash Singh also known as Vicki
...Petitioner

Mr. Sandip Kumar Bhattacharya
Mr. Dipta Dipak Banerjee
...For the petitioner
Mr. Kallol Mondal, Sr. Adv.,
Mr. Krishan Ray,
Mr. Souvik Das
Ms. Anamitra Banerjee
Mr. Akbar Laskar
... .. For the Victim

Mr. Sabyasachi Banerjee, Sr. Adv.,
Ms. Nahid Ahmed
... ..For the O.P. No. 2

Two applications for grant of bail are taken up for analogous hearing as they are made by the same petitioner and since the Coordinate Bench was hearing the two applications analogously.

Petitioners, State, victim and the defacto complainant are represented.

Petitioners stand implicated in two police cases.

C.R.M. (DB) 2991 of 2024 is a police case relating to threatening the witness of a murder case as also causing grievous hurt and attempting to murder. C.R.M. (DB) 3008 of 2023 relates to a police case of murder.

We perused the materials on record in respect of the two police cases including the case diaries thereof.

In the police case relating to threatening the witness and causing grievous hurt and attempting toe murder, the petitioner was in custody at the material point of time. Trial in respect of the murder case for which the petitioner was in custody was underway and in fact, it is still underway.

One of the witnesses in the murder case was shot at and injured. There are statements under Section 164 of the Cr.P.C. which implicates the petitioner as one of the persons who prompted the person who shot the firearm and threaten the witness of the murder case.

Considering the materials on record depicting the involvement of the petitioner in the police case of threatening the witness, causing grievous hurt and in attempting to

murder him we are not inclined to grant bail to the petitioner. The prayer for bail of the petitioner in **C.R.M. (DB) 2991 of 2024** is **rejected**.

The application being **C.R.M. (DB) 2991 of 2024** is **dismissed**.

So far as the murder case for which bail is prayed for in C.R.M. (DB) 3008 of 2024 is concerned, the trial is in progress. Records made available on record implicate the petitioner in such crime. Enlarging the petitioner on bail will be inimical to the trial. There is already an incident of one of the witnesses in the murder case being threatened, shot at to kill him, at the instance of the petitioner.

In such circumstances, we are not inclined to grant bail to the petitioner in **C.R.M. (DB) 3008 of 2024** also and the prayer for bail of the petitioner is **rejected**.

The application being **C.R.M. (DB) 3008 of 2024** is **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)