

CRM 3950 of 2020
with
IA No. CRAN 1 of 2020 (Old CRAN 2177 of 2020)
(via Video Conference)

In re : An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliachak PS Case No. 104 of 2017 dated 10.02.2017 under Sections 302/34 of the Indian Penal Code read with Sections 25/27 of the Arms Act.

In the matter of : **Empha Sk. @ Mehabub**

..... petitioner

Mr. Dhananjay Banerjee

....For the petitioner

Mr. Saibal Bapuli, Ld. APP

Ms. Sayanti Santra

.....For the State

The petitioner claims that he stands on the same footing as some of the other accused who have been granted bail.

The State opposes the prayer and says that there is a statement of a witness recorded under Section 164 of the Code claiming that it was the petitioner who had shot the bullet that ultimately killed the victim.

A Copy of the relevant statement of the witness has been made over to Court. Several persons have been named in such statement including the petitioner herein who first shot at the victim and others and later stabbed the victim to death.

Considering the material against the petitioner, the prayer for bail is refused. The trial is also at an advanced stage.

CRM 3950 of 2020 and the interim application therein stand disposed of.

(Aniruddha Roy, J.)

(Sanjib Banerjee, J.)