

09 (S/L)16.10.2020
Dd/Aloke

(via Video conference)
CRM 7886 of 2020

In Re – An application for bail under Section 439 of the Code of Criminal Procedure in connection with Mothabari Police Station case no. 187 of 2020 dated 19.05.2020 under Sections 302/34 of the Indian Penal Code.

In the matter of : **Mir Rejaul Ali @ Rijul**

.....Petitioner

Mr. Ayan Bhattacharya
Mr. Arnab Sengupta
Mr. Sagar Saha

....for the Petitioner

Mr. Binay Panda
Ms. Puspita Saha

... ...For the State

Taking advantage of misspelt name, the petitioner filed the instant application for bail saying that he has been wrongly implicated in connection with the instant case.

The learned Advocate for the petitioner emphasizes on the names disclosed in the FIR and submits that the name of the petitioner is conspicuously absent therein and just because he was a member of the family, he has been implicated and apprehended.

Learned Advocate for the State opposes the prayer for bail. It is submitted that the statements of the eye witnesses would reveal the name of the petitioner and his complicity to the alleged offence.

It appears from the record that an earlier application for bail was rejected on 24.08.2020 (CRM 5384 of 2020) even after noticing that the principal accused was absconding.

The nature and gravity of the offence does not inspire the confidence of the Court that the petitioner would not misuse the liberty of bail, if granted, in connection with the instant case.

Accordingly, the prayer for bail is rejected.

The application is, thus, dismissed.

(Harish Tandon, J.)

(Shampa Sarkar, J.)