

20.10.2020.
Item No. 10
(Rejected)

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C.R.M. 7997 of 2020

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Manikchak P.S. Case No. 118 of 2020 dated 07.03.2020 (G.R. Case No. 1178 of 2020) under Section 306 of the Indian Penal Code;

And

In the matter of : **Ajmal Momin @ Ajimul Ansary.**

... petitioner.

Mr. Salman Hasan.

...For the petitioner.

Mr. P. K. Datta, Ld. APP,

Mr. Santanu Deb Roy.

...For the State.

The learned Advocate-on-Record of the petitioner undertakes to affirm and stamp the petition/application as per the Rules within forty-eight hours of resumption of the normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing.

The learned Advocate for the petitioner submits that the petitioner lent and advance money to the deceased and has been falsely implicated in connection with the instant case when he admittedly committed suicide. It is further submitted that the allegation has been leveled against him to avoid the repayment of the loan amount and, therefore, he should be released on bail.

The learned Advocate for the State opposes the prayer for bail. It is submitted that there are incriminating materials including the statement of the wife of the deceased as well as the other eyewitnesses and the investigation is at the nascent stage.

Considering the submissions advanced by the respective Counsels and on perusal of the statement of the wife of the deceased recorded under Section 161 of the Code

of Criminal Procedure, we do not feel that the petitioner should be released on bail at this stage.

Accordingly, the application for bail being CRM 7997 of 2020 is **rejected**.

(Ravi Krishan Kapur, J.)

(Harish Tandon, J.)