

19.03.2021
Item No.72
Ct.No.28
Subha
rejected

C.R.M. 918 of 2021
(Via Video Conference)

In Re: An application for bail under Section 439 Cr.P.C in connection with Mangalkote P. S. Case No. 137 of 2017 dated 19-06-2017 under Sections 302/120B of the Indian Penal Code read with Sections 25/27/35 of the Arms Act.

In the matter of : **Saddam Sk & Ors.** ... Petitioners.

Mr. Golam Mastafa
Mr. Samirul Sardar

... For the Petitioners.

Mr. Madhusudan Sur, ld. APP
Mr. Manoranjan Mahata

...for the State.

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Mangalkote P. S. Case No. 137 of 2017 dated 19-06-2017 under Sections 302/120B of the Indian Penal Code read with Sections 25/27/35 of the Arms Act.

The petitioners have been implicated in the instant case and it is submitted by the learned advocate for the petitioner that they are in custody for 1324 days.

We have perused the materials on record available in the case diary from where it appears that there are eye-witnesses who expressed direct complicity of the present petitioners in the commission of the said offence and it has been pointed out to us that nine witnesses had already been examined in this case.

Having regard to the complicity of the present petitioners and the fact that nine witnesses have already been examined, we are of the opinion that this is not a fit case where the present petitioners may be released on bail at this stage and as such, the prayer for bail of the present petitioners is rejected.

With the aforesaid observations, the application for bail being CRM 918 of 2021 is, accordingly, disposed of.

(Harish Tandon, J.)

(Tirthankar Ghosh, J.)