

23.03.2021

Item No.81

Ct.No.28

dc.

C.R.M. 1012 of 2021

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Chapra P.S. Case No. 1 of 2020 dated 03.01.2020 under Sections 302/201/120B/34 of the Indian Penal Code and Sections 25(1)(a)/27 of the Arms Act.

And

In Re : **Maidul Sk @ Mahidul Sk.**

... Petitioner.

Mr. Prabir Majumder

... For the Petitioner.

Mr. Neguive Ahmed,
Ms. Amita Gaur

... For the State.

This is an application for bail in connection with Chapra P.S. Case No. 1 of 2020 dated 03.01.2020 under Sections 302/201/120B/34 of the Indian Penal Code and Sections 25(1)(a)/27 of the Arms Act at the behest of the petitioner.

The petitioner is in custody for nearly 438 days in connection with the aforementioned case. A dead-body was found receiving gunshot and bullet matched with the firearms seized from the possession of the petitioner. The case has been committed to trial and in fact, the schedule for recording evidence is fixed from tomorrow. In view of the incriminating materials available from the case diary and the complicity of the petitioner to the alleged offence and the

nature of the offence having allegedly committed including the fact that the firearms was recovered from the possession of the petitioner, we do not think that it is a fit case where the petitioner should be enlarged on bail. As such, the petitioner's prayer for bail is **rejected**.

However, we request the learned Sessions Judge to take up the matter on the next date so fixed and the prosecution is directed to bring the witnesses for recording their evidence and shall not ask for any adjournment without any justifiable cause.

The application for bail, being CRM 1012 of 2021, is, thus, disposed of.

(Harish Tandon, J.)

(Tirthankar Ghosh, J.)