

41. 10.08.2021
Ct.32
Tanmoy
Dismissed

C.R.M. 3517 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **21/04/2021** in connection with **Jalangi Police Station Case No. 47 of 2020** dated **30.01.2020** under Sections **302/326/307/34** of the Indian Penal Code and Section **27/35** of Arms Act.

And

In the matter of: - **Samim Aktorujaman @ Samim Aktarujaman @ Milton**

....petitioner.

Mr. Anisur Rahman

...for the petitioner.

Mr. M. Chatterjee,
Md. G.N. Imrohi,
Mr. D. Majumder

...for the *de facto* complainant

Mr. Neguive Ahmed, Ld. A.P.P.,
Md. Anwar Hossain,
Mrs. Amita Gaur

...for the State.

The petitioner is one of several accused persons. The case is that two groups of people clashed. There was firing of guns. The victim died having suffered gunshot injury.

It is submitted on behalf of the petitioner that he did not fire. It was one Tahir who had fired the gun. Tahir is absconding. There is nothing specific against the petitioner. He has been in custody for more than one year and five months.

We have seen the material in the Case Diary including the statements of various witnesses recorded under Sections 161/164 of the Code of Criminal Procedure. In some of the statements the petitioner has been specifically named as one of the persons who opened fire.

On an overall assessment of the facts and circumstances of the case and given that charge-sheet has already been submitted, we are not inclined to allow the petitioner's prayer for bail at this stage.

Accordingly, the application for bail being C.R.M. 3517 of 2021 is **dismissed**.

All parties shall act in terms of server copy of this order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)