

51. 10.08.2021
Ct.32
SB

C.R.M. 3858 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 02.06.2021 in connection with Baruipur Police Station Case No. 2262/2020 dated 09.11.2020 under Sections 302/201/34 of the Indian Penal Code.

And

In the matter of: - Jahangir Molla

Mr. Angshuman Chakraborty ...for the petitioner.

Mr. S. G. Mukherjee, Ld. P.P.

Mr. Madhusudan Sur

Mr. Dipankar Paramanick ...for the State

Mr. Debangana Bhattacharjee

Ms. Swarnali Saha

Mr. Samayun Middya ... for the de facto complainant

The petitioner is one of the three accused persons. The charge is of murdering a Toto driver.

The petitioner says that he has never been identified and no connection between him and the murder of the victim can be established from the material on record.

The State draws our attention to the report of the T.I. Parade where the petitioner was placed. He has been identified. We have also seen the statements of witnesses recorded under Section 164 of the Criminal Procedure Code implicating the petitioner. The prayer for bail made by the co-accused Chotan Halder has been turned down by a Co-ordinate Bench of this Court.

Considering the material on record and the facts of the case and the extent of complicity of the petitioner in the commission of the alleged offence, we are not inclined to allow the petitioner's prayer for bail.

The application for bail being C.R.M. 3858 of 2021 is, accordingly, rejected.

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.)