

17.11.2021

Court No.28
Item No.25
(REJECTED)

Saswata

CRM 7398 of 2021

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Eco Park Police Station Case No. 151 dated 17.08.2020 under Sections 304/320/468/471/417 of the Indian Penal Code and adding Sections 467/201 of the Indian Penal Code;

And

In the matter of : **Bazlur Rahaman Molla @ Bazlur Rahaman**
...Petitioner

Mr. Chinmoy Pal
Mr. Sourav Mondal

...For the Petitioner

Mr. Sudip Ghosh
Mr. Apurba Kumar Dutta
Mr. Partha Pratim Das
Ms. Mansi Roy

... For the State

The petitioners have filed the instant application for bail under Section 439 of the Code of Criminal Procedure in connection with Eco Park Police Station Case No. 151 under Sections 304/320/468/471/417 of the Indian Penal Code and adding Sections 467/201 of the Indian Penal Code.

This is the third round of litigation before this Court. The earlier two applications for bail were rejected by this Court with the categorical finding that there has been incriminating material found against the petitioner and in fact, trial has commenced and two witnesses have been examined by this time.

The present application is taken out taking the same plea as was taken in the earlier two rounds of litigation, we do not find any substantial change in the circumstances, except the fact that by this time, 8 witnesses have been examined.

Since trial has seen substantial progress, we do not think that the petitioner is entitled to be enlarged on bail.

Accordingly, the prayer for bail of the petitioner is ***rejected***

The application for bail being CRM 3123 of 2021 is accordingly ***dismissed.***

(Harish Tandon, J)

(Rabindranath Samanta,J.)

