

CRM 7823 of 2021
(via video conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure ;

And

In Re : Alamgir Sk @ Alom @ Alamgir Seikh & Ors.
.....Petitioners

Mr. Animesh Chatterjee

.....for the Petitioners

Mr. Swapan Banerjee

Mr. Suman De

.....for the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioners in connection with Nabagram P.S. Case No. 154 of 2021 dated 21.06.2021 under sections 420/406/409/467/468/471/120B of the Indian Penal Code.

Learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated and the principal accused, namely, Ansar Ali, has already been granted bail. No overt act has been attributed to the petitioners and the name of the petitioner no. 3 also does not feature in the F.I.R. In the said conspectus, the petitioners may be enlarged on bail on any stringent condition.

Mr. Banerjee, learned advocate for the State opposes the petitioners' bail and draws our attention to the statement of the witnesses as recorded under Sections 161 and 164 of the Code of Criminal Procedure.

Record reveals that the petitioners' prayer was earlier rejected by this Court on 9th November, 2021. We do not find any

substantial change in the circumstances of the case subsequent to such rejection of the petitioners' prayer. Considering the nature of allegations and the extent of complicity of the petitioners, we are not inclined to exercise any discretion in their favour. As such, their prayer for bail is refused at this stage.

The application being CRM 7823 of 2021 is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)