

06.12.2021.
74.
as
(Rejected)

C.R.M. 7915 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Harishchandrapur P.S. Case No.402 of 2011 dated 10.12.2011 under Sections 302/34 of the Indian Penal Code.

In the matter of : Asmir Sk. @ Sk. Sardul Jara Khan.
...Petitioner.

Mr. Amitabha Karmakar,
Mr. Arup Kr. Bhowmick.
...for the Petitioner.

Mr. Saibal Bapuli, Id. A.P.P.,
Mr. Bibaswan Bhattacharyya.
...for the State.

Heard the learned Advocates appearing for the petitioner and the State.

Petitioner renews his prayer for bail. He submits that co-accuseds are on bail.

Learned Advocate appearing for the State opposes the prayer for bail and submits that the petitioner had absconded for a decade and statements of witnesses implicate him in the crime.

We have considered the materials on record. Statements of witnesses show petitioner was a member of the unlawful assembly which had assaulted the victim resulting in his death.

In view of the gravity of the offence, protracted abscondence on the part of the petitioner and as his prayer

for bail was rejected earlier, we are not inclined to grant bail to the petitioner.

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

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)