

101
PJ
SM

01.02.2022

Court No.29

(Rejected)

C.R.M.(DB) 262 of 2022
(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 27/01/2022 in connection with **Harishchandrapur** P.S. Case No.**402 of 2011** dated **10/12/2011** under Sections **302/34** of the Indian Penal Code.
And

In the matter of: Asmir Sk @ Sk Asmir @ Asmir Sekh, Sk Esdani
....petitioner.

Mr. Kazi Mokhlasur Rahman,

...for the petitioner.

Mr. Madhusudhan Sur,
Ms. Zareen N. Khan,
Md. Kutubuddin,

... for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for 488 days. The police filed charge-sheet. The petitioner was not named in the first Information Report and was sought to be falsely implicated in the charge-sheet.

Learned advocate appearing for the State submits that the police complaint is of 2011. The petitioner successfully absconded for a period of 9 years. She draws the attention of the Court to the contents in the case diary. She submits that there is hardly any change in circumstances subsequent to the previous order of rejection of bail on January 18, 2021 in CRM 113 of 2021. She further submits that pursuant to an order of the Learned Magistrate, the police are reinvestigating into the incident.

Considering the gravity of the offence and the involvement of the petitioner therein, as prima facie appearing from the materials in the case diary and considering the fact that there is hardly any change in circumstances subsequent to the earlier order of rejection of bail, we are unable to grant bail to the petitioner.

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

C.R.M.(DB) 262 of 2022 is rejected.

Memo of Evidence files in court today be kept with the record.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)