

07.03.2022

Court No.32
rpan / **35**
SM, J.

C.R.M. (DB) 300 of 2022

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

And

In Re.: **Nasiruddin Mondal @ Kalu @ Nasiruddin Sekh**

- Petitioner

Ms. Minoti Gomes,
Mr. Jisan Iqubal Hossain
... for the Petitioner.

Mr. Saibal Bapuli,
Mr. Bibaswan Bhattacharya
... for the State.

The present application has been preferred by the petitioner in connection with Raninagar Police Station Case No.374 of 2021 dated 16.08.2021 under Sections 341/ 325/ 326/ 307/ 302/ 120(B)/ 34 of the Indian Penal Code and Sections 25/27 of the Arms Act and 3/4 of the Explosive Substances Act, praying for bail.

Ms. Gomes, learned lawyer appearing for the petitioner submitted that the petitioner is in custody for about six months. Chargesheet has been filed long back. Further custodial detention is not necessary in post investigation period. Accordingly, she prayed for bail.

Mr. Bapuli, learned lawyer appearing for the State strongly opposed the bail on the ground that there are strong incriminating elements against the present petitioner which very clearly and unequivocally implicate him in the alleged offence. The allegation

is very grave and serious. Considering the seriousness of offence, according to him, the petitioner should not be enlarged on bail.

We have heard the rival submissions and perused the C.D.

We find from the statement of witnesses that the present petitioner hurled bombs at the vehicle driven by the victim. The victim died of injuries caused by bomb explosion, as indicated in the post-mortem report. Others were injured. Recovery of bombs was made at the instance of the present petitioner. We find sufficient materials to implicate the present petitioner in the alleged offence. We also cannot rule out the possibility of influencing witnesses since the case is based on evidence of the eyewitnesses. Considering the seriousness of the offence, the nature of allegation, the extent of complicity of the petitioner, as it appears from the case diary and the statement of the witnesses, coupled with seizure memo, we are not inclined to allow bail and the same stands rejected at this stage.

The application for bail, being CRM (DB) 300 of 2022 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.)