

07.03.2022

Court No.32
rpan / **44**
SM, J.

C.R.M. (DB) 319 of 2022

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

And

In Re.: **Sohidul Sekh & Others**

- Petitioners

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

Mr. Saibal Bapuli,
Mr. Arani Bhattacharyya
... for the State.

The present application has been preferred by the petitioners 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 petitioners submitted that chargesheet has been filed. Custodial detention is not necessary in post investigation period. The petitioners are languishing in custody for long. Therefore, she prayed for bail on any stringent condition.

Per contra, Mr. Bapuli, learned lawyer appearing for the State vehemently opposed the bail on the ground that strong incriminating elements are there against the present petitioners implicating them in the alleged offence. Since the allegation is

very grave and serious, according to him, the petitioners should not be enlarged on bail.

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

From the statement of witnesses, recorded under Sections 161 and 164, Cr.P.C., we find that the present petitioners have direct complicity with the offence as they carried with them bombs which they hurled at the vehicle driven by the victim. As a result of bomb attack by the petitioners and others the victim sustained injuries, as the post-mortem report indicates, leading to death. Incriminating articles, fire arms were also recovered at the instance of the present petitioners. The statement of the witnesses shows that the all the petitioners have active participation in the alleged offence. Since the case is based on the statement of the witnesses, we cannot rule out the possibilities of influencing witnesses if the petitioners are released on bail. Therefore, we are not inclined to allow bail and the same stands rejected at this stage.

The application for bail, being CRM (DB) 319 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.)