

23.03.2022
Serial no. 82
[G.S.D]

CRM (DB) 400 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Criminal Misc. Case No. 2608 of 2021** arising out of **CBI-SCB-Kolkata No. RC056S20210011/2021 dated 25.08.2021 (Corresponding to Kotwali P.S. Case No. 562 of 2021 dated 14.06.2021)** under Section **143/144/147/148/149/302/427/448/449/34 of the IPC, 1860 and** Sections 25/27 of the Arms Act, 1959.

-And-

In the matter of : Ajehar Sk @ Azehar Sk

... .. Petitioner

Mr. Sandipan Ganguly

Mr. Kalyan Kumar Bhattacharjee For the Petitioner

Mr. Phroze Edulji,

Mr. Samrat Goswami, Advocates

... ..For the CBI

The Petitioner prays for bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for 238 days. It is alleged as against the petitioner that the petitioner was carrying on a sharp weapon and the death was due to the bullet injury.

Learned Advocate appearing for the State draws the attention of the Court to the Post-mortem report and the statement recorded under Section 164 of the Cr.P.C. of the eye-witnesses. He submits that the victim was initially dragged out of his bed and assaulted with a sharp weapon on the head. Thereafter the victim was taken out and shot.

Post-mortem report records lacerated injury on the skull. Apparently this injury was caused by a sharp cutting weapon which the petitioner was seen to be carrying.

On the strength of the statement recorded under Section 164 of the Cr.P.C. and considering the materials in the case diary and the involvement of the petitioner in the offences as transpiring from the case diary and also considering the fact that there are criminal antecedents of the petitioner, we are not inclined to enlarge the petitioner on bail.

The prayer for bail of the petitioner is **rejected**.

CRM (DB) 400 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)