

C.R.M. (DB) 409 of 2022

14.02.2022
Sl. 47
Court No.29
sourav
(Rejected)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **08.02.2022** in connection with **Sagardighi** P.S. Case No. **163** of **2018** dated **04.05.2018** under Sections **341/325/326/307/34** of the Indian Penal Code and added Section **302** of the Indian Penal Code.

And

In the matter of: **Hakim Sk.**

....petitioner.

Ms. Sabana Hasin

...for the Petitioner.

Mr. Madhusudan Sur

Mr. Manoranjan Mahata

...for the State.

Ms. Sonali Das

...for the defacto complainant.

Petitioner renews the prayer bail.

Learned advocate appearing for the petitioner submits that the petitioner is suffering from immovability and was falsely implicated. She highlights the period of detention of the petitioner.

Learned advocate appearing for the State submits that this is the third application for bail. Two earlier applications were rejected by the co-ordinate benches. The petitioner alludes to only one rejection that is the last application. That apart, other co-accused standing on the same footing approached this Court for prayer for bail which were rejected twice. He submits that the petitioner is named in the statement recorded under Section 164 of the Criminal Procedure Code. The trial is in progress. Five prosecution witnesses were examined.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the fact that the petitioner did not come with clean hands to this Court by suppressing one of the orders of rejection and considering the fact that the trial is in

progress, we are unable to grant bail to the petitioner. There is hardly any change in material circumstances in favour of the petitioner granting him bail.

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

C.R.M. (DB) 409 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

