

21.03.2022
Serial no.52
[Dd]
(Bail **Rejected**)

CRM (DB) 754 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Uluberia** Police Station Case No. **09** of **2021** dated **11.01.2021** under Sections **302/34** of the Indian Penal Code giving rise to G.R. No. **72/2021**.

-And-

In the matter of : Kazi Ilias & Anr.Petitioners

Mr. Sumen De, Advocate
... .. *For the Petitioners*

Mr. Madhusudan Sur, Id. APP
Mr. Dipankar Pramanick, Advocates
... ..For the State

Petitioners seek bail.

Learned advocate appearing for the petitioners submits that Kazi Ijajul @ Ajajul is the main assailant. He submits that the two petitioners were falsely implicated. He submits that the petitioners are standing in the same footing as that of the two ladies who were granted bail by the jurisdictional Court.

Learned advocate appearing for the State draws the attention of the Court to the statements recorded under Section 161 of the Criminal Procedure Code of eye-witnesses as also to the statements recorded under Section 164 of the Criminal Procedure Code. He submits that the petitioners were in active participation with regard to the incident concerned.

Considering the materials in the case diary implicating the petitioners, we are of the view that the petitioners are not standing in the same footing as that of

the two ladies who were granted bail by the jurisdictional Court.

Considering the gravity of the offence and the involvement of the petitioners as transpiring from the materials in the case diary, we are not inclined to grant bail to the petitioners.

Prayer for bail of the petitioners is **rejected**.

CRM (DB) 754 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)