

01.04.2022

Sl. 43

Court No.29

SD/Saswata

C.R.M. (DB) 852 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Monteswar Police Station Case No. 151 of 2016 dated 13.05.2016 under Sections 302/34 of the Indian Penal Code and subsequently charge sheet submitted under Sections 302/34/376/201/120B of the Indian Penal Code.

And

In the matter of: Md. Sabbir Hossain Halder

....petitioner.

Mr. Jyoti Prakash Chatterjee

...for the petitioner.

Mr. N. Ahmed

Ms. Trina Mitra

...for the State.

The petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner was not named in the FIR. The petitioner is sought to be roped in on the basis of the evidence of the prosecution witness no.17 where the petitioner is named for the first time.

Learned Additional Public Prosecutor refers to the materials in the case diary and the evidence of the prosecution witness no.17.

Prosecution witness no.17 implicates the petitioner in the case of rape and murder of the victim.

Considering the gravity of the offence and the involvement of the petitioner therein, is prima facie, transpiring from the materials available on record, we are unable to grant bail to the petitioner.

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

CRM (DB) 852 of 2022 is, thus, dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)