

01.04.2022
Serial no.52
[Dd]
(Bail **Rejected**)

CRM (DB) 873 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Shibpur** Police Station Case No. **329** of **2020** dated **16.11.2020** under Sections **326/307/302/120B** of the Indian Penal Code read with Sections **25/ 27** of the Arms Act. Charge sheet being no. **35/2021** submitted under Sections **326/307/302/114/120B** of the Indian Penal Code read with Sections **25(1)(b)(a)/27** of the Arms Act giving rise to **S.T. 16/2021**.

-And-

In the matter of : Md. Azad @ Kallu

... ..Petitioner

Mr. Suman De, Advocate

... .. For the Petitioner

Mr. Madhusudan Sur, Id. APP

Mr. Monoranjan Mahato, Advocates

... ...For the State

Mr. Bitasok Banerji, Advocate

... ...For the de facto complainant

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 457 days. The petitioner is alleged to be a conspirator. The police filed charge sheet. Therefore, further detention of the petitioner is not required.

Learned advocate appearing for the State submits that a firearm was recovered from the petitioner. A person was murdered and another grievously hurt. The bullet from one of the victims matched with the firearm recovered from the possession of the petitioner. The trial is in progress. There are at least six criminal antecedents so far as the petitioner is concerned.

De facto complainant is represented.

Considering the gravity of the offence and the involvement of the petitioner therein as transpiring from the materials in the case diary and considering the criminal antecedents of the petitioner, we are not inclined to grant bail to the petitioner.

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

CRM (DB) 873 of 2022 is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)