

04.05.2022

Serial no.53

[Dd]

(Bail Rejected)

CRM (DB) 1173 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Haroa** Police Station Case No. **145** of **2021** dated **09.04.2021** under Sections **326/307** subsequently added Section **302** of the Indian Penal Code and **25/27** of the Arms Act, being G.R. no. **1631 of 2021**.

-And-

In the matter of : Yakub Molla

... ..Petitioner

Md. Shahjahan Hossain,

Ms. Sanjida Sultana, Advocates

... .. For the Petitioner

Mr. Madhusudan Sur, Id. APP

Mr. Dipankar Pramanick, Advocates

... ...For the State

Petitioner renews the prayer for bail.

Learned advocate appearing for the petitioner draws the attention of the Court to the Order no. 8 dated February 1, 2022 passed by the jurisdictional Court. He submits that the de facto complainant filed an affidavit to the effect that there was no allegation against the accused who is his son and that the de facto complainant lodged the compliant under duress and shock due to death of his other son.

Learned advocate appearing for the State submits that there are incriminating materials in the case diary as against the petitioner. The victim died out of gunshot injury. Bullet recovered from the body of the victim matches with the firearm recovered from the possession of the petitioner. A son of the de facto complainant is the victim and the petitioner herein is the brother of the victim.

The de facto complainant is the father of the petitioner and the victim.

In view of the materials in the case diary and in view of the heinous nature of the crime and considering the fact that there is hardly any material change in circumstances subsequent to the earlier order of rejection, we are not inclined to grant bail to the petitioner.

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

CRM (DB) 1173 of 2022 is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)