

55 06.05.2022
(AD) Court No.29

(Rejected)

C.R.M. (DB) 1215 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Dhubulia** P.S. Case No.**30 of 2022** dated **14.01.2022** under Sections **302/34** of the Indian Penal Code.

And

In the matter of: Rafik Sk @ Rafick Shaikh & Ors.

....petitioners.

Mr. Prabir Majumder
Mr. Snehansu Majumder

...for the petitioners.

Mr. Ranabir Ray Chowdhury
Mr. Mainak Gupta

... for the State.

Petitioners pray for bail.

Learned Advocate appearing for the petitioners submits that the petitioners were falsely implicated. There is no material to implicate the petitioners, *inter alia*, under Section 302 of the Indian Penal Code.

Learned Advocate appearing for the State draws the attention of the Court to the post-mortem report of the victim. He also refers to the statements of the eye-witnesses recorded under Section 161 of the Code of Criminal Procedure.

The victim died out of injuries inflicted on him, as appearing from the post-mortem report. There are statements recorded under Section 161 of the Code of Criminal Procedure

of the eye-witnesses implicating all the petitioners before us in the offence.

Considering the gravity of the offence and the involvement of the petitioners therein as transpiring from the materials in the case diary, we are unable to enlarge any of the petitioners on bail.

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

C.R.M. (DB) 1215 of 2022 is dismissed.

(Debangsu Basak, J.)

(Kausik Chanda, J.)