

08.06.2022
tkm/ct 28
sl no. 50

C.R.M. (DB) 1427 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Chapra PS case no. 37/2018 dated 20.2.2018 under sections 341/326/307/302/34 IPC and sections 25/27 of the Arms Act and 3/4 of the ES Act

And

In Re : Manik Sk @ Paka @ Sahajhan @ Sahajan

..... petitioner

Mr. Kallol Mondal
Mr. Amanul Islam
Mr. Kishan Roy
Mr. Sourav Mukherjee
Mr. S Das

..... for the petitioner

Mr. Swapan Banerjee
Ms. Debjani Sahu

..... for the State

Petitioner is in custody for 81 days and it is submitted that he was not named in the FIR and his complicity has transpired in the supplementary charge sheet. Co-accuseds are on bail.

Learned lawyer for the State opposes the prayer for bail and submits petitioner's complicity has transpired from statement of the injured eye-witness recorded under section 164 Cr.P.C. He absconded for a considerable period of time and was subsequently arrested.

We have considered materials on record particularly statement of one Jinat Ali Sk (injured eye-witness) recorded under section 164 Cr.P.C. The said witness categorically implicates the petitioner as one of the accuseds who had fired at him as well as the deceased.

In view of the gravity of the offence and prima facie involvement of the petitioner therein, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, the prayer for bail is rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)