

23.06.2022

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sdas
rejected

C.R.M. (DB) 1949 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Pursurah Police Station Case No. 80 of 2021 dated 13.06.2021 under Sections 326/307/302/506/34 of the Indian Penal Code.

And

In Re : Atauddin Sekh @ Sk. M. Babu & Anr. petitioners

Mr. Milon Mukherjee, Sr. dv.
Mr. Niladri Sekhar Ghosh
Mr. Dattatreya Dutta
... for the petitioners

Mr. Nuguive Ahmed, learned APP
Ms. Zareen N. Khan
Ms. Trina Saha
... for the State

Learned senior Counsel appearing for the petitioner submits that his clients are in custody for about one year. It is also submitted that they have been falsely implicated in the instant case. Their names did not transpire in the medical records. Statements of the injured witnesses were belatedly recorded.

Learned Counsel appearing for the State opposes the prayer for bail. He submits that statements of the injured witnesses implicate the petitioners. Their names also transpired in the F.I.R.

We have considered the materials on record. Names of the petitioners had transpired in the F.I.R. which was lodged soon after the incident. Statement of Ketabul Hossain (injured witness) also implicates the petitioners in the murder.

In view of the aforesaid incriminating materials and gravity of the offence, we are not inclined to grant bail to the petitioners at this stage.

The application for bail is, thus, rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)