

23.06.2022

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rejected

C.R.M. (DB) 1958 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Pingla Police Station Case No. 129 of 2021 dated 02.05.2021 under Sections 341/302/379/34 of the Indian Penal Code.

And

In Re : Dilip Batul & Ors. petitioners

Mr. Kallol Mondal

Mr. Subhendu Bhattacharjee

Mr. Krishan Roy

Sk. Abu Jafor

... for the petitioners

Mr. Sudip Ghosh

Mr. Apurba Kumar Datta

... for the State

Petitioners are in custody for about one year and two months.

Learned Counsel appearing for the petitioners submits that they have been falsely implicated in the instant case.

Learned Counsel appearing for the State opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses recorded under Section 164 of the Code of Criminal Procedure show involvement of the petitioners in the alleged murder. Delay in the case is due to abscondence of co-accuseds.

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

The application for bail is, thus, rejected.

Court below is directed to ensure execution of the processes against absconding accuseds and if in spite of exhaustion of processes their attendance is not secured to split the case of the absconding accuseds and commit the case to the court of sessions at the earliest.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)