

04.07.2022.
15.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 2097 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kandi P.S. Case No.199 of 2022 dated 17.04.2022 under Sections 448/325/307/302/34 of the Indian Penal Code.

In the matter of : Amir Sk. & Ors.

... Petitioners.

Ms. Sonali Das.

...for the Petitioners.

Mr. Imtiaz Ahmed, ld. A.P.P.,
Md. Adil Badr,
Mr. Shibasish Banerjee.

...for the State.

Mr. Manas Kr. Das.

...for the de-facto complainant.

Heard the learned Advocates appearing for the parties.

Petitioners pray for bail. It is submitted there was a free fight and the petitioners also suffered injuries. It is further contended co-accused Pinki Khatun @ Pinki Bibi has been granted bail by this Court.

Learned Advocate for the State opposes the prayer for bail. He submits petitioner no.1 viz., Amir Sk. is the principal accused and the petitioner Nos.2 and 3 were present at the place of occurrence and aided and abetted the murder. It is also contended Pinki Khatun @ Pinki Bibi was enlarged on bail as she was suffering from cardiac ailments. Prayer for bail of other co-accuseds have been turned down.

Learned Advocate for the de-facto complainant also opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses show petitioner no.1 is the principal accused. Petitioner Nos.2 and 3 aided and abetted him in the crime. Co-accused Pinki Khatun @ Pinki Bibi was enlarged on bail in view of her health condition. Prayer for bail of other co-accuseds were, however, turned down.

Keeping in mind the aforesaid facts and the role played by the petitioners in the crime, we are not inclined to grant bail to the petitioners at this stage.

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

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)