

01.08.2022

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rejected

C.R.M.(DB) No. 2537 of 2022

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

And

In Re : Amir Sk. & Ors. petitioners

Mr. Arnab Chatterjee

Mr. Jisan Iqbal Hossain

Mr. Faizur Rahman

... for the petitioners

Mr. Swapan Banerjee

Ms. Purnima Ghosh

... for the State

Petitioners renew their prayer for bail.

Learned Counsel appearing for the petitioners submits they have not been implicated in the statements of the witnesses recorded under Section 164 of the Code of Criminal Procedure.

Learned Counsel appearing for the State opposes prayer for bail and submits that bail prayer of the petitioner was rejected in July, 2022.

We have considered the materials on record. Statements of witnesses recorded under Section 161 of the Code of Criminal Procedure at an earlier point of time implicate the petitioners. Belatedly, statements of other witnesses under Section 164 of the Code of Criminal Procedure were recorded. Their statements do not wash away involvement of the petitioners as transpiring

from the statements of witnesses recorded under Section 161 of the Code of Criminal Procedure immediately after the incident.

Keeping in mind the aforesaid facts and gravity of the offence, we are not inclined in granting bail to the petitioners.

The application for bail is, thus, rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)