

03.08.2022

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rejected

C.R.M.(DB) No. 2603 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with English Bazar Police Station Case No. 235 of 2015 dated 21.04.2015 under Sections 302/34 of the Indian Penal Code.

And

In Re : Jodu Sk. @ Nur Salam Sk. petitioner

Mr. Mrityunjoy Chatterjee

... for the petitioner

Ms. Anasuya Sinha

Mr. Pinak Kumar Mitra

... for the State

Learned Counsel appearing for the petitioner submits he is in custody for nine months. Petitioner has been falsely implicated in the instant case.

Learned Counsel appearing for the State opposes the prayer for bail. She submits petitioner had absconded for six years.

We have considered the materials on record. Statements of eye-witnesses recorded under Section 161 of the Code of Criminal Procedure implicate the petitioner in the murder of the victim. He had absconded for six years. Hence, petitioner does not stand on the same footing with the co-accused who is on bail.

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

The application for bail is, thus, rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)