

31.08.2022.
38.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 2946 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Pursurah P.S. Case No.80 of 2021 dated 13.06.2021 under Sections 325/326/307/302/506/34 of the Indian Penal Code.

In the matter of : Sekh Saifuddin.

....Petitioner.

Mr. Devajyoti Barman,
Ms. Sanjukta Basu Mallick.

...for the Petitioner.

Mr. Nguive Ahamed, Id. A.P.P.,
Ms. Trina Mitra.

...for the State.

Petitioner is in custody for 446 days. He submits there is discrepancy in the genesis of the incident as appearing from the statements of witnesses recorded under Sections 161/164 of the Code of Criminal Procedure.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses show petitioner and co-accuseds were present at the place of occurrence and had assaulted the victim who ultimately died. A minor variation whether money was demanded prior or during the assault would not erode the intrinsic truth of their versions.

Keeping in mind the aforesaid incriminating facts and gravity of the offence, we are not inclined to grant bail to the petitioner.

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

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)