

15.09.2022
Sl. No.18
akd
[Rejected]

C. R. M. (DB) 2977 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 29.08.2022 in connection with Duttapukur Police Station Case No. 286 dated 03.05.2021 under Sections 302/34 of the Indian Penal Code and Sections 3/4 of the Explosive Substances Act.

And

In Re: ***Md. Merajul Haque***

... .. Petitioner

Mr. Pronojit Roy

... .. for the petitioner

Mr. Dhiraj Trivedi .. Id. Asst. Solicitor General

Mr. Sagar Saha

... .. for the CBI

It is submitted on behalf of the petitioner that he was not named in the initial FIR registered by the State police. It is further submitted petitioner has been falsely implicated in the instant case.

Learned Assistant Solicitor General submits the case was transferred to CBI pursuant to the direction given by this court in WPA Nos. 142, 143, 144, 145, 147, 148, 149 & 167 of 2021. He further submits statements of witnesses show participation of the petitioner in the murder.

We have considered the materials on record. Initially, name of the petitioner was not disclosed in the FIR. Upon transfer of investigation to CBI, witnesses were examined under Sections 161/164 of the Code of Criminal Procedure. These witnesses have named the petitioner as a member of the group which assaulted the victim. As a result, he died. In view of the aforesaid incriminating materials and since charge has already been framed, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is thus **rejected**.

Trial court is directed to expedite the trial and conclude the same at an early date.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)