

22.09.2022
Sl. No.12
akd
[Rejected]

C. R. M. (DB) 3158 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 09.09.2022 in connection with Rajarhat Police Station Case No. 225 dated 29.06.2022 under Sections 302/201/376 of the Indian Penal Code.

And

In Re: ***Nur Mohammad Sk. @ Bishu***

... .. Petitioner

Mr. Amitava Karmakar
Mr. Ziaul Haque

... .. for the petitioner

Mr. Rudradipta Nandy .. Id. Addl. Public Prosecutor
Mrs. Sonali Das

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 81 days. It is further submitted petitioner is a deaf and dumb person. There is no direct evidence connecting him with the crime.

Learned advocate appearing for the State opposes the prayer for bail and submits petitioner was seen near the place of occurrence. On his showing, tee shirt owned by him at the time of occurrence was recovered. A torn portion of the said tee shirt was also seized from the place of occurrence. DNA report shows blood found on the torn portion of the shirt matches with that of the deceased.

We have considered the materials on record. Petitioner was seen at the place of occurrence. A torn portion of his wearing apparel was recovered from the place of occurrence. Blood stain found on the said torn portion matches with that of the deceased. In view of the aforesaid incriminating circumstances 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**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

