

03.11.2022
tkm/ct 28
sl no.61

C.R.M. (DB) 3664 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Duttapukur Police Station Case No. 627/2022 dated 27.6.2022 under Sections 302/34 of the Indian Penal Code and sections 25/27 of the Arms Act.

And

In Re : Akash Nayek & Anr.

..... petitioners

Mr. Kallol Mondal
Mr. Krishan Roy
Mr. A Ghosh

..... for the petitioner

Mr. R D Nandy
Ms. Sonali Das

..... for the State

Petitioners are in custody for 127 days and 89 days respectively. It is submitted there is no direct evidence connecting them with the murder.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. Incriminating articles were recovered from the place of occurrence which implicates the petitioners. From the place of occurrence a broken piece of indicator of the motor cycle belonging to the petitioner no. 1 was seized. Voter's identity card and other papers of petitioner no. 2 was also seized from the place of occurrence. Arms and ammunitions have also been recovered from them.

In view of the aforesaid incriminating materials and gravity of offence, we are not inclined to grant bail to the petitioners.

Accordingly, the prayer for bail is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)