

23.12.2022

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sdas
rejected

C.R.M.(DB) No. 4593 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliachak Police Station Case No. 688 of 2022 dated 30.06.2022 under Sections 363/365 of the Indian Penal Code and subsequently added Sections 364A/120B of the Indian Penal Code.

And

In Re : Md. Johorul Khan @ Md. Jaharul Khan
@ Md. Joharul Khan @ Johorul Khan @ Jaharul Khan
.... petitioner

Mr. Mrityunjoy Chatterjee
Mr. Samrat Paul
Mr. Debapriya Majumder
....for the petitioner

Mr. Arani Bhattacharya
..... for the State

Learned counsel appearing for the petitioner submits he is in custody for 130 days. Victim did not name him in the statement under Section 164 of the Code of Criminal Procedure. He prays for bail.

Learned Counsel appearing for the State opposes the prayer for bail.

We have considered the materials on record. Petitioner was unknown to the victim. Accordingly, victim could not give out his name in his statement. He identified the petitioner in the course of Test Identification Parade. Prima facie, there are materials connecting the petitioner with the crime. Under such circumstances and in view of the gravity of offence, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, prayer for bail is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)