

06.01.2023.
23.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 34 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nabadwip P.S. Case No.46 of 2021 dated 02.02.2021 under Section 302 of the Indian Penal Code and charge sheet submitted under Sections 302/120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

In the matter of : Samir Halder.

... Petitioner.

Mr. Sekhar Kr. Basu, Id. Sr. Adv.,
Mr. Prabir Majumder,
Mr. S. Majumder.

...for the Petitioner.

Mr. Saswata Gopal Mukherjee, Id. P.P.,
Ms. Faris Hossain,
Mr. Anand Keshari.

...for the State.

Petitioner is in custody for 200 days. It is submitted there is no direct evidence connecting him with the crime.

Learned Advocate for the State opposes the prayer for bail. He submits petitioner was present at the place of occurrence and had shot at the victim. On his leading statement weapon was recovered. Opinion of the arms expert shows bullet recovered from the body matches with the seized weapon. There is CCTV footage of the occurrence implicating the petitioner.

We have considered the materials on record. Fire arm used to shoot the victim was recovered on the leading statement of the petitioner. The CCTV footage also implicates him.

Under such circumstances and in view of the gravity of the offence, we are not inclined to grant bail to the petitioner.

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

(Bivas Pattanayak,J.)

(Joymalya Bagchi, J.)