

27.03.2023
Sl. No.31
akd
[Rejected]

C. R. M. (DB) 291 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 18.01.2023 in connection with Malda Cyber Crime Police Station Case No.56 of 2022 dated 01.12.2022 under Sections 498A/323/324/325/307/34 of the Indian Penal Code read with Sections 66C/66E/67/67A of the Information & Technology Act and Sections 3/4 of the Dowry Prohibition Act. (G.R. Case No.7464 of 2022)

And

In Re: ***Humayun Kabir***

... .. Petitioner

Mr. Rajdeep Majumder
Mr. Moyukh Mukherjee
Mr. Abhijit Singh

... .. for the petitioner

Mr. Bibaswan Bhattacharya

... .. for the de-facto complainant

Mr. Rudradipta Nandy .. Id. Addl. Public Prosecutor
Mr. Subrata Roy

... .. for the State

Petitioner renews his prayer for bail. It is submitted on behalf of the petitioner that he is in custody for about 100 days.

Learned Advocate for the de-facto complainant opposes the prayer for bail and submits co-accuseds are threatening witnesses. A separate criminal case has been registered.

Learned Additional Public Prosecutor produces the case diary of the said case.

We have considered the materials on record. There are incriminating materials connecting the petitioner with the murder. His bail prayer was rejected earlier on merits. It is alleged co-accuseds are threatening witnesses. The said witnesses have not deposed as yet. Under such circumstances, we do not consider it prudent to enlarge the petitioner on bail.

The application for bail is thus rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)