

30.01.2023
tkm/ct 28
sl no.40

C.R.M. (DB) 318 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Jagatdol Police Station Case No. 916 of 2019 dated 26.10.2019 under Sections 302/201/120B/34 of the IPC read with sections 25/27 of the Arms Act

And

In Re : Suraj Tewary alias Suraj Tiwari petitioner

Mr. S Barman

Mr. Rohit Prasad

..... for the petitioner

Mr. N Ahmed

Ms. Trina Mitra

..... for the State

Mr. Ranjit Kr. Ghosh

..... for the de facto complainant

Petitioner is in custody for more than 100 days. It is submitted he was on bail earlier. Due to inadvertence he failed to comply with the conditions, namely not to enter the district of North 24 Parganas and report to the Officer-in-Charge of the concerned P.S and the jurisdictional court. He was re-arrested. There is no progress in the matter. He prays for bail.

Learned lawyer for the State opposes the bail prayer.

Learned lawyer for the de facto complainant submits date has been fixed for commitment.

We have considered the materials on record. Conduct of the petitioner while on bail was not appreciable. His bail came to be cancelled in February 2022. Thereafter, he absconded and was arrested in connection with another case. There are materials implicating the petitioner in the crime and the co-accuseds while on bail have also absconded.

In view of the aforesaid materials on record and the nature of offence, we are not inclined to grant bail to the petitioner.

Accordingly, prayer for bail is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)