

02.02.2023

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rejected

C.R.M. (DB) No. 397 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Mothabari Police Station Case No. 187 of 2020 dated 19.05.2020 under Sections 302/34 of the Indian Penal Code.

And

In Re : Mir Rejaul Ali petitioner

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmick
... for the petitioner

Mr. Sudip Ghosh
Mr. Bitasok Banerjee
... for the State

Learned Counsel for the petitioner submits he is in custody for more than two years. He renews his prayer for bail.

Learned Counsel for the State opposes the prayer for bail and submits delay is due to abscondence of co-accuseds.

We have considered the materials on record. Statements of the witnesses implicate the petitioner in the murder. His bail prayer was rejected earlier on merits. Delay is due to abscondence of the co-accuseds. Under such circumstances, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

