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rejected

C.R.M. (DB) No. 933 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Eco Park Police Station Case No. 72 of 2022 dated 01.04.2022 under Sections 302/201/120B of the Indian Penal Code.

And

In Re : Md. Iftikar @ Sharukh ..... petitioner

Mr. Sandipan Ganguly, Sr. Adv.

Mr. Jaydeep Biswas

Mr. Kaushik Ghosh

... for the petitioner

Ms. Zareen N. Khan

Mr. Ashok Das

... for the State

Learned Counsel for the petitioner submits he is in custody for 330 days. It is also submitted that there is no direct evidence connecting the petitioner with the murder. There is little possibility of trial concluding in the near future. He renews his prayer for bail.

Learned Counsel for the State opposes the prayer for bail and submits tower location reports proved presence of the petitioner and three other co-accuseds at the place of occurrence. Co-accuseds who are on bail were not present at the place of occurrence. Incriminating articles were recovered on the disclosure statements of the petitioner also.

We have considered the materials on record. Incriminating materials were recovered on the disclosure

statements of the petitioner and co-accuseds who are in custody. Other co-accuseds who are on bail were not present at the place of occurrence as per tower location reports. In view of the aforesaid incriminating materials on record involving the petitioner in the murder and distinguishing his role vis-à-vis co-accuseds who are on bail, we are not inclined to grant bail to him.

The application for bail is, thus, rejected.

Trial court is directed to expedite the trial and conclude the same as expeditiously as possible without granting unnecessary adjournment to either of the parties.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**