

03.04.2023

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rejected

C.R.M. (DB) No. 1287 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Shyampur Police Station Case No. 337 of 2022 dated 31.07.2022 under Sections 302/201 of the Indian Penal Code.

And

In Re : Nur Islam Khan @ Nantu petitioner

Ms. Devi Priya Mitra

... for the petitioner

Mr. Neguive Ahmed, learned APP

Mr. Iqbal Kabir

... for the State

Learned Counsel for the petitioner submits he is in custody for 240 days. It is also submitted petitioner is HIV positive and requires medical attention. He prays for bail.

Learned Counsel for the State disputes such submission and submits that the petitioner is suffering from herpes and he is receiving medical treatment.

We have considered the materials on record. There are materials implicating the petitioner in the murder. Medical treatment is being provided to the petitioner in custody. Under such circumstances and in view of gravity of the offence, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

