

24.04.2023

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rejected

C.R.M. (DB) No. 1625 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Itahar Police Station Case No. 450 of 2022 dated 13.08.2022 under Sections 302/201/120B/34 of the Indian Penal Code.

And

In Re : Nabab Ali petitioner

Mr. Mirza Firoz Ahmed Begg
... for the petitioner

Mr. Neguive Ahamed, learned APP
Ms. Trina Mitra
... for the State

Mr. Nirupam Dhali
.... for de facto complainant

Heard the learned Counsels for the parties.

We have considered the materials on record. Petitioner does not stand on the same footing with Md. Abdul Malek and Md. Muntazim Amani who have been enlarged on bail. On the other hand, he stands on the same footing with Sujauddin Ahmed whose bail prayer was turned down in February, 2023. Petitioner and the said Sujauddin Ahmed are the mercenaries who committed the murder. In view of the principal role played by the petitioner in the crime, we are not inclined to grant bail to him.

The application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

