

01.05.2023

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rejected

C.R.M. (DB) No. 1752 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliachak Police Station Case No. 1503 of 2022 dated 31.12.2022 under Section 302 of the Indian Penal Code read with Sections 27/25 of the Arms Act.

And

In Re : Md. Ashik Nawaz petitioner

Mr. Mrityunjoy Chatterjee

... for the petitioner

Mr. Neguive Ahamed, learned APP

Ms. Trina Mitra

... for the State

Heard the learned Counsels for the parties.

We have considered the materials on record. Statements of witnesses show there was enmity between the parties. Materials have also been collected during investigation which indicates petitioner had made phone calls to the victim on the day of the incident through the mobile phone of a co-accused. Weapon of offence i.e. firearm was recovered on his leading statement.

Under such circumstances and in view of gravity of the offence, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

