

08.06.2023.
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Ct. No.28
as

C.R.M. (DB) 2116 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Raina P.S. Case No.292 of 2021 dated 23.10.2021 under Sections 302/307/120B/34 of the Indian Penal Code read with Sections 25/27 of the Arms Act.

In the matter of : Md. Jawed Akhtar @ Jambo.
... Petitioner.

Mr. Joydeep Biswas,
Mr. Kaushik Ghosh.
.....for the Petitioner.

Mr. Rudradipta Nandy, Id. A.P.P.,
Mr. Arijit Ganguly,
Ms. Sonali Das.
...for the State.

Mr. Avik Ghatak,
Mr. Aniruddha Bhattacharya.
....for the de-facto complainant.

Petitioner submits co-accused Md. Saddam @ Saddam Hossain has been enlarged on bail by this Court. He prays for bail.

Learned Advocate for the State opposes the bail prayer. He submits petitioner was identified by witnesses. Bail prayer of co-accused viz., Somnath Mondal, Md. Mahtab Alam and Md. Janishar Alam @ Ricky who were also identified has been turned down.

Learned Advocate for the de-facto complainant also opposes the bail prayer.

We have considered the materials on record. Witnesses identified the petitioner during T. I. Parade. This establishes his presence at the place of occurrence. He does not stand on the same footing with co-accused Md. Saddam @ Saddam Hossain who has been enlarged on bail. Bail prayer of co-accused similarly circumstanced with the petitioner has been turned down by this Court.

In view of the aforesaid incriminating materials and gravity of offence, we are not inclined to grant bail to the petitioners at this stage.

Accordingly, the prayer for bail of the petitioner is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)