

03.07.2023

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rejected

C.R.M.(DB) No. 2398 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliganj Police Station Case No. 242 of 2022 dated 22.04.2022 under Sections 341/326/307/302/34 of the Indian Penal Code read with Sections 3/ 4 of the Explosive Substances Act.

And

In Re : Amiruddin Sk. @ Distar & Ors. petitioners

Mr. Prabir Majumder

Mr. Snehanasu Majumder

....for the petitioners

Mr. Neguive Ahamed, learned APP

Ms. Trina Mitra

..... for the State

Learned Counsel for the petitioners submits his clients are septuagenarians. There is no progress in the matter since rejection of bail by this Court. They renew their bail prayer.

Learned Counsel for the State opposes the prayer for bail and submits they are principal accused who assaulted the victim. Co-accused are absconding. Hence, there is delay.

We have considered the materials on record. Bail prayer of the petitioners was rejected earlier on merits. Delay is due to abscondence of the co-accused and cannot be attributed to the prosecution. Under such circumstances, we are not inclined to grant bail to the petitioners at this stage.

The application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)