

18.07.2023
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rejected

C.R.M.(DB) No. 2843 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Domkal Police Station Case No. 60 of 2023 dated 27.01.2023 under Sections 326/307/34 of the Indian Penal Code read with Sections 25/27 of the Arms Act.

And

In Re : Ennal Sk. @ Ennal & Anr. petitioners

Mr. Sabir Ahmed
Mr. Abdur Rakib
Mr. Suman Biswas
Mr. Dhiman Banerjee
Mr. Soham Chakraborty
....for the petitioners

Mr. Swapan Banerjee
Mr. Suman De
..... for the State

Learned Counsel for the petitioners submits they had not fired at the victim. They are in custody for more than 171 days. They pray for bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. Contents of the FIR show that the petitioner no. 1 is named as one of the miscreants who was present at the spot when the victim was fired. On the leading statement of the petitioner no. 2 weapon of offence and other articles i.e. scooty etc. were recovered. In view of the aforesaid incriminating materials and as allegation of

gunshot injury is supported by medical evidence, we are not inclined to grant bail at this stage.

The application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)