

26.07.2023
Sl. No.21
akd
[Rejected]

C. R. M. (DB) 2955 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 20.07.2023 in connection with Ketu Gram Police Station Case No.27 of 2023 dated 12.01.2023 under Sections 302/120B of the Indian Penal Code and Sections 25/27/35 of the Arms Act. (G.R. Case No.73 of 2023)

And

In Re: ***Ratan Khan***

... .. Petitioner

Mr. Niladri Sekhar Ghosh
Ms. Sompurna Chatterjee
Mr. Sourav Mondal

... .. for the petitioner

Mr. Madhusudan Sur .. Id. Addl. Public Prosecutor
Mr. Dipankar Paramanick

... .. for the State

It is submitted on behalf of the petitioner that local people including the tea stall owner where the incident occurred have not been examined. It is further submitted petitioner has been falsely implicated due to previous grudge. Accordingly, he prays for bail.

Learned Additional Public Prosecutor opposes the prayer for bail.

We have considered the materials on record. Statement of the de-facto complainant and other witnesses recorded under Section 164 of the Code of Criminal Procedure implicates the petitioner as one of the miscreants who shot at the victim. Presence of these witnesses at the place of occurrence appears to be convincing. Some of these witnesses are local witnesses. They have not supported the prosecution case. Under such circumstances and in view of gravity of the offence, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is thus rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

