

24.08.2023

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rejected

C.R.M.(DB) No. 3320 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Entally Police Station Case No. 314 of 2022 dated 12.10.2022 under Sections 307/34 of the Indian Penal Code and Sections 25(1B)(a)/27 of the Arms Act.

And

In Re : Sanjeeb Podder @ Sanjib Poddar @ Vole Baba @ Bhole Baba Petitioner

Mr. Sanat Kumar Das

Mr. Sujan Chatterjee

Ms. Souprana Sinha

....for the petitioner

Mr. Nguive Ahmed, learned APP

Ms. Amita Gaur

..... for the State

1.Learned Counsel for the petitioner submits he is in custody for 312 days. It is also contended that no firearm was recovered. There is no possibility of trial concluding in the near future. He prays for bail.

2.Learned Counsel for the State opposes the bail prayer and submits eye-witnesses identified the petitioner as a member of a group one of whom had fired at the victim.

3.We have considered the materials on record. Victim is a deaf and dumb person. Petitioner is a member of a group who were armed with guns and various weapons and one of whom fired at the victim. In view of the aforesaid incriminating materials and as bail prayer of the co-accused had been turned

down we are not inclined to grant bail to the petitioner at this stage.

4. The application for bail is, thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)