

01.09.2023
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rejected

C.R.M.(DB) No. 3426 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Naihati GRPS Case No. 38 dated 25.09.2023 under Sections 302/326/307/34 of the Indian Penal Code and Sections 25/27 of the Arms Act.

And

In Re : Chotelal Yadav & Anr. Petitioners

Mr. Sumanta Das

....for the petitioners

Mr. Niguve Ahmed, learned APP

Ms. Amita Gaur

..... for the State

1. Learned Counsel for the petitioners submits they were on bail due to miscommunication. They were unable to appear and warrant of arrest was issued against them. Thereafter they were arrested and pray for bail.

2. Learned Counsel for the State opposes the bail prayer and submits petitioners had absconded since 2018.

3. We have considered the materials on record. Petitioners had absconded since 2018. In view of such conduct and the materials on record disclosing involvement of the petitioners in the murder, we are not inclined to grant bail to them at this stage.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)