

12.09.2023

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rejected

C.R.M.(DB) No. 3532 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Beldanga Police Station Case No. 509 of 2022 dated 26.08.2022 under Sections 302/34 of the Indian Penal Code and Sections 25/27 of the Arms Act.

And

In Re : Mustafijur Rahaman petitioner

Mr. Partha Pratim Das

Mr. Monojit Chakraborti

....for the petitioner

Mr. Neguive Ahamed, learned APP

Ms. Trina Mitra

.... for the State

Ms. Chandrima Debnath

..... for de facto complainant

1. Learned Counsel for the petitioner submits he is not the principal assailant. He renews his bail prayer.

2. Learned Counsel for the State opposes the prayer for bail.

3. We have considered the materials on record. Statements of the witnesses show petitioner was present with co-accused at the place of occurrence. They had assaulted the victim and shared common intention to murder her. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)