

27.09.2023
Sl. No.16
akd
[Rejected]

C. R. M. (DB) 3710 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 14.09.2023 in connection with Nakashipara Police Station Case No.257 of 2021 dated 06.06.2021 under Sections 302/120B/34 of the Indian Penal Code and Sections 25/27 of the Arms Act. (G.R. Case No.1240 of 2021)

And

In Re: ***Akai Dafadar***

... .. Petitioner

Mr. Imtiaz Ahmed
Mrs. Ghazala Firdous
Mr. Sk. Saidullah
Mr. Mithun Mondal
Mr. Md. Arsalam

... .. for the petitioners

Mr. Arijit Ganguly
Mr. Arani Bhattacharya

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 2½ years. It is further submitted there is delay in trial. Accordingly, he renews his prayer for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits bail prayer of co-accused viz. Arnab Sarkar @ Guddu and Aksar Sk. @ Akchar Sk. has been turned down by this court. Petitioner stands on the same footing with the said co-accused.
3. We have considered the materials on record. Statements of witnesses recorded under Sections 161/164 of the Code of Criminal Procedure disclose the role of the petitioner in the murder. He stands on the same footing with co-accused viz. Arnab Sarkar @ Guddu and Aksar Sk. @ Akchar Sk. whose bail prayer has been turned down by this court. Under such circumstances, 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.)

