

05.10.2023
Sl. No.39
akd
[Rejected]

C. R. M. (DB) 3835 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 26.09.2023 in connection with Singur Police Station Case No.165 of 2021 dated 18.06.2021 under Sections 392/302/201/120B of the Indian Penal Code read with Sections 25/27 of the Arms Act. (G.R. Case No.782 of 2021)

And

In Re: ***Md. Irshad Alam @ Raju***

... .. Petitioner

Mr. Palash Ch. Majhi

... .. for the petitioner

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

Mr. Manoranjan Mahata

... .. for the State

1. Heard the learned Advocates appearing for both the parties.
2. Petitioner was present at the time of occurrence. He was driving the motorcycle and the pillion rider shot at the victim. These materials show pre-concert and involvement of the petitioner in the crime. In view of the aforesaid, we are of the opinion he is not entitled to bail on merits.
3. With regard to the issue of non-framing of charge we find delay was engineered due to non-appearance of a co-accused for which prosecution is not liable. Accordingly, we are not inclined to grant bail to the petitioner on the ground of delay also.
4. The application for bail is thus rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)

