

10.10.2023
Sl. No.67
akd
[Rejected]

C. R. M. (DB) 3924 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 04.10.2023 in connection with Khargram Police Station Case No.301 of 2018 dated 20.11.2018 under Sections 341/323/325/326/307/34/302 of the Indian Penal Code.

And

In Re: **Bankarul Sk. @ Abdul Rafik @ Bakarul**
... .. Petitioner

Mr. Manas Kumar Das
... .. for the petitioner

Mr. Ahitagni Dey
... .. for the de-facto complainant

Ms. Zareen N. Khan
Md. Kutubuddin
... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 309 days. Co-accused have been enlarged on bail. There is no progress in the matter since rejection of bail by this court. Accordingly, he renews his prayer for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits petitioner had assaulted the victim resulting in his death.
3. Learned Advocate for the de-facto complainant also opposes the prayer for bail and submits petitioner had absconded for four years.
4. We have considered the materials on record. Bail prayer of the petitioner was rejected in April, 2022. Bail prayer of co-accused viz. Bodrul Islam @ Badrul Alam was turned down by this court in August, 2023. In view of the aforesaid facts, we are not inclined to grant bail to the petitioner at this stage.
5. The application for bail is thus rejected.

6. Computer Section is directed to submit report why order of rejection of bail of Bodrul Islam @ Badrul Alam in CRM (DB) 3352 of 2023 is not placed before the court on the adjourned day.
7. Let the matter appear on **17.10.2023**.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)