

16.10.2023
Sl. No.52
akd
[Rejected]

C. R. M. (DB) 4029 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 10.10.2023 in connection with Nabagram Police Station Case No.213 of 2023 dated 16.06.2023 under Sections 341/325/326/307/302/34 of the Indian Penal Code and Sections 25/27 of the Arms Act and subsequently charge sheet submitted under Sections 341/323/325/302/34 of the Indian Penal Code. (G.R. Case No.1909 of 2023)

And

In Re: ***Ismail Sk.***

... .. Petitioner

Mr. Tapodip Gupta

... .. for the petitioner

Mr. Neguive Ahmed .. Id. Addl. Public Prosecutor
Ms. Trina Mitra

... .. for the State

1. Heard the learned Advocates appearing for both the parties.
2. We have considered the materials on record. Statements of witnesses recorded under Section 164 of the Code of Criminal Procedure show petitioner was a member of the group who were armed and had assaulted the victim resulting in his death. In view of the prima facie involvement of the petitioner and gravity of the offence which, if proved, would attract mandatory life imprisonment, we are not inclined to grant bail to the petitioner at this stage.
3. The application for bail is thus rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)