

20.12.2023.
36.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 4112 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Raninagar P.S. Case No.374 of 2021 dated 16.08.2021 under Sections 341/325/306/307/302/286/120(B)/34 of the Indian Penal Code and Section 27 of the Arms Act read with Section 9B of Explosive Substances Act.

In the matter of : **Ashadul Mollick.**

... Petitioner.

Mr. Mrityunjoy Chatterjee,
Mr. Manas Das.

...for the Petitioner.

Mr. Rudradipta Nandy, Id. A.P.P.,
Mr. Eqbal Kabir.

...for the State.

1. Learned Advocate for petitioner contends he has been falsely implicated. There is little possibility of trial concluding in the near future. He prays for bail.

2. Learned Advocate for State opposes the bail prayer. He contends PWs.1, 3, 4 and 5 categorically spoke about presence and participation of the petitioner in the crime. These witnesses stated petitioner was present with the bag carrying bombs. Statements of other witnesses before Magistrate also disclose role of the petitioner.

3. We have considered the materials on record. PWs. 1, 3, 4 and 5 state petitioner was present at the place of occurrence. They also stated he was carrying a bag with full of bombs. These materials *prima facie* support the allegation of participation and sharing common intention

to murder. Trial is not complete. Other witnesses are yet to be examined.

4. In view of the evidence led by the prosecution *prima facie* establishing involvement of the petitioner in the crime, we are not inclined to grant bail to the petitioner.

5. Accordingly, the prayer for bail of the petitioner is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)