

D/L. 47.
November 2, 2023
rp/gc

CRM (DB) 4219 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kandi Police Station Case No. 28 of 2023 dated 23.01.2023 under Sections 302/120B of the Indian Penal Code.

And

In the matter of: Sk. Firdous Islam @ Firdous Islam

.... Petitioner

Mr. Mohinoor Rahaman,
Ms. Iqra Rahaman

... for the Petitioner.

Mr. P.K. Datta, Ld. A.P.P.,
Mr. P. Saha

... for the State.

1. Learned Advocate for the petitioner submits that there is no eyewitness and no incriminating material to connect the accused person with the alleged offence. He contends that the present petitioner has been languishing in jail custody for ten months and hence the petitioner should be released on bail.
2. Learned A.P.P. for the State vehemently opposes the prayer for bail and he submits that from the disclosure statement made by the accused person, some incriminating materials were recovered and the prayer for bail of the co-accused person who stands on the same footing has been turned down by a Coordinate Bench on 12th October, 2023.
3. Heard the learned advocates, perused the C.D. and other materials.
4. Although there is no direct evidence but the case is based on circumstantial evidence and there are some materials against the present petitioner.

5. Considering this aspect, we are of the view that it is not a fit case to grant bail to the petitioner.
6. Prayer is, thus, turned down.
7. Accordingly, CRM (DB) 4219 of 2023 is dismissed.

(Sabyasachi Bhattacharyya, J.)

(Partha Sarathi Chatterjee, J.)