

05.12.2023
Item No.21
Ct. No. 5
CHC

C.R.M.(DB) 4344 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Islampur** Police Station Case No.**278** of **2023** dated **10.07.2023** under Sections **341/286/325/326/307/506/34** of the Indian Penal Code, Section **9(b)** I.E. Act and Sections **3/ 4 E.S. Act.**

And

In the matter of: Monirul Hoque @ Haque & anr.
..... petitioners

Mr. U. A. Dewan,
Mr. A. Dewan
....for the petitioners

Mr. Swapan Banerjee,
Ms. Purnima Ghosh
....for the State

Petitioners renew the prayer for bail.

Learned advocated appearing for the petitioners submits that, the petitioners are in custody for 141 days. Police filed charge-sheet and therefore, further detention of the petitioners are not required.

Learned advocate appearing for the State draws the attention of the Court to the materials in the Case Diary as also the earlier order of rejection dated October 3, 2023.

The petitioners approached the High Court for grant of bail by C.R.M.(DB) 3797 of 2023. By an order dated October 3, 2023, the coordinate Bench found that, there are statements of

witnesses to the effect that the petitioners and others threw bomb as a result of which victim lost his left hand.

Charge-sheet was submitted prior to the order of rejection dated October 3, 2023.

Period of detention *per se* is not a ground for grant of bail although is one of the relevant consideration.

The gravity of the offence and the involvement of the petitioners in the incident as appearing from the materials in the Case Diary are factors which do not persuade us to enlarge any of the petitioners on bail.

CRM(DB) 4344 of 2023 is therefore dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)