

21.12.2023

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sdas
rejected

C.R.M.(DB) No. 4733 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Minakhan Police Station Case No. 81 of 2022 dated 07.04.2022 under Sections 328/307/376DA/506/120B of the Indian Penal Code and under Sections 06/08 of the POCSO Act.

And

In Re : Abutaleb Molla & Anr. Petitioners

Mr. Imtiaz Ahmed
Mr. G. Firdous
Mr. M. K. Islam
Sk. Saidullah
Mr. Mithun Mondal
Md. Arsalan

....for the petitioners

Ms. Faria Hossain
Mr. Aninda Sundar Chatterjee
..... for the State

1. Learned Counsel for the petitioners submits they renew their bail prayer.

2. Learned Counsel for the State opposes the prayer for bail and submits DNA report shows semen from the wearing apparels of the victim matches with the petitioners.

3. We have considered the materials on record. Petitioners do not stand on the same footing with the co-accused who is on bail. Bail prayer of the petitioners was rejected earlier. Under such circumstances, we are not inclined to grant bail to the petitioners at this stage.

4. The application for bail is, thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)