

20.12.2023.  
120.  
Ct.No.28  
as  
(Rejected)

**C.R.M. (DB) 4640 of 2023**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Duttapukur P. S. Case No.286 of 2021 dated 03.05.2021 under Sections 302/34 of the Indian Penal Code and Sections 3/4 of the Explosive Substances Act along with Section 9(b) of the Indian Explosives Act and charge sheet submitted under Sections 143/144/147/148/149/302/34 of the Indian penal Code.

In the matter of : **Intajul Islam @ Entajul Islam @ Laltu.**  
... Petitioner.

Mr. Navanil De,  
Mr. R. Chakraborty,  
Mr. S. Ghosh,  
Mr. S. Dey  
Ms. M. Mukherjee.

...for the Petitioner.

Mr. Kallol Mondal,  
Mr. S. Chatterjee.

...for the CBI.

1. Petitioner contends prosecution witnesses have not implicated him in the incident. He is in custody for over two years. He prays for bail.

2. Learned Advocate for CBI contends PWs.1 and 3 have implicated the petitioner as one of the assailants.

3. We have considered the materials on record. A large number of persons have assaulted the victim resulting in his death. Two of the witnesses i.e. PWs.1 and 3 specifically stated the role of the petitioner in the crime. Trial is in progress.

4. Under such circumstances, it cannot be said that there is no evidence implicating the petitioner in the murder.

5. Hence, we are not inclined to grant bail to the petitioner at this stage.

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

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**