

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

27.02.2023.
96/tkm

C.R.M. (DB) 23 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Mathabhanga P.S case no.64 of 2011 dated 28.2.2011 under sections 395/397 IPC added section 396 of the IPC read with section 216A/412 IPC

In the matter of : Hasanur Rahaman Petitioner

Mr. H Saha Poddar
Ms. M Das

...for the Petitioner

Mr. Ujjwal Luksom
Mr. Arjun Cowdhury

...for the State.

It is contended petitioner had been enlarged on bail. Subsequently, he was re-arrested and is in custody for 235 days.

Learned lawyer for the State opposes the bail prayer. He submits petitioner misused his liberty. Co-accuseds are absconding.

There are materials to implicate the petitioner in the crime. Offence involves dacoity and murder. Petitioner misused his liberty and was re-arrested. Co-accuseds are absconding.

Under such circumstances, we do not consider it prudent to enlarge the petitioner on bail.

Accordingly, prayer for bail is rejected.

(Subhendu Samanta,J.)

(Joymalya Bagchi, J.)