

03.10.2023.

Item No. 44

Court No.1

ap

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

C.R.M. (DB) No. 606 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed on 19.09.2023 in connection with Bhaktinagar Police Station Case No. 179 of 2014 dated 02.02.2014 under Sections 302/201/34/429/435/120B of the Indian Penal Code.

And

In the matter of: Jahangir Md. @ Alam. ...Petitioner

Mr. Sudip Guha. ...For the petitioner

Mr. Tapan Bhattacharjee,
Mr. Subhasish Misra.For the State

1. The application for bail is pressed on the ground that six, out of ten accused persons are on bail.
2. It is the case of the prosecution that the petitioner has been named as an accused in the charge-sheet though not named in the First Information Report and two investigations have been conducted. It is the further case of the prosecution that second one being at the instance of his Court and in both these investigations, the petitioner has been found guilty.
3. The crime alleged is rather heinous that four persons including a cow were burnt to death after being repeatedly assaulted on their body with sharp weapons, inter alia, by the accused persons.

4. The first charge-sheet is filed in the year 2014. The petitioner has been absconding since then and was apprehended only in the year 2023.

5. This Court is of the view that given the nature of the offence and the fact that the petitioner was absconding for nearly nine years, the prayer for bail of the petitioner cannot be entertained.

6. Hence, C.R.M. (DB) No. 606 of 2023 shall stand dismissed as not pressed.

7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Supratim Bhattacharya, J.) (Rajasekhar Mantha, J.)