

18.01.2024.  
33.  
Ct.No.28  
as  
(Rejected)

**C.R.M. (DB) 149 of 2024**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Farakka P.S. Case No.199 of 2023 dated 30.04.2023 under Sections 325/326/307/302/34 of the Indian Penal Code and charge sheet submitted under Sections 325/326/307/34/302 of the Indian Penal Code.

In the matter of : **Md. Samim @ Sukhu & Anr.**

... Petitioners.

Ms. Shabana Hasin.

...for the Petitioners.

Ms. Faria Hossain.

...for the State.

1. Petitioners submit incident occurred in the course of a sudden fight. They did not have intention to murder the victim. Accordingly, they pray for bail.

2. Learned Advocate for the State opposes the bail prayer. She contends bail prayer of co-accused viz., Tarik Anowar @ Buju @ Baju was turned down by this Court.

3. We have considered the materials on record. Statements of witnesses show petitioners were armed and had assaulted a number of persons, one of whom died.

4. In view of gravity of offence and the materials on record, we are not inclined to grant bail to the petitioners at this stage.

5. Accordingly, the prayer for bail of petitioners is rejected.

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**