

02.02.2024
Sl. No.54
akd
[Rejected]

C. R. M. (DB) 335 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 22.01.2024 in connection with Chanchal Police Station Case No.369 of 2011 dated 22.11.2011 under Sections 302/34 of the Indian Penal Code. (G.R. Case No.4316 of 2011)

And

In Re: ***Saddam Hossain***

... .. Petitioner

Mr. Mazhar Hossain Chowdhury

... .. for the petitioner

Mr. Swapan Banerjee

Mrs. Purnima Ghosh

... .. for the State

1. It is submitted on behalf of the petitioner that the incident occurred in course of a quarrel between two children. Accordingly, he renews his prayer for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits petitioner is the principal accused. He had absconded for more than a decade. Delay is due to abscondence of other accused.
3. We have considered the materials on record. Petitioner is the principal accused. His bail prayer was rejected earlier on merits. He had absconded for more than a decade. Presently, co-accused had absconded and accordingly, the case could not proceed to the next stage. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.
4. The application for bail is thus rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

