

22.02.2024.
31.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 547 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Daspur P.S. Case No.93 of 2022 dated 09.03.2022 under Sections 120B/397/302/201/34 of the Indian Penal Code.

In the matter of : **Sk. Samim Ahamed @ Sk. Samin Ahammed.**

... Petitioner.

Ms. Sananda Bhattacharyya.

...for the Petitioner.

Mr. Rana Mukherjee,
Mr. Asraf Mandal.

...for the State.

1. Petitioner contends there is no direct evidence connecting him with the murder. He has been falsely implicated. Accordingly, he renews his bail prayer.

2. Learned Advocate for the State opposes the bail prayer. He contends bail prayer of the petitioner was rejected earlier on merits. Charge has already been framed.

3. We have considered the materials on record. Statement of the son of the owner shows that the victim had come to the tenanted apartment occupied by the petitioner and co-accused. Thereafter, her body was recovered from a river. On the leading statement of the petitioner and co-accused, weapon of offence as well as an ornament i.e. ear ring of the deceased was recovered.

4. In view of the aforesaid incriminating materials and gravity of offence, we are not inclined to grant bail to the petitioner at this stage.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)