

29.02.2024
tkm/ct 28
sl no. 68

C.R.M. (DB) 569 of 2024

In Re : An application for bail under section 439 Cr.P.C in connection with Andal PS case no. 233 of 2021 dated 2.9.2021 under section 395/397/412 IPC read with sections 25(1B)(a)/35 of the Arms Act

And
In Re : Azarul Sk @Azarul Sk petitioner

Mr. A Ganguly

..... for the petitioner

Mr. Joydeep Roy
Ms. Trina Mitra

..... for the State

1. Petitioner is in custody for more than two years. He submits co-accused are on bail. He prays for bail on the ground of delay in trial.
2. Learned lawyer for the State opposes the bail prayer. He submits petitioner has criminal antecedents. Trial is in progress.
3. We have considered the materials on record. Petitioner was identified in the course of TI parade examination. He has criminal antecedents. He does not stand on the same footing with Siraj Shekh who was not put up for identification in TI parade and a small amount of cash was recovered from him.
4. In view of the nature of offence and as the petitioner has criminal antecedents, we are not inclined to grant bail to the petitioner.
5. Accordingly, prayer for bail is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)