

11.03.2024  
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rejected

C.R.M.(DB) No. 772 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Raninagar Police Station Case No. 168 of 2021 dated 06.04.2021 under Sections 341/326/307/302/34 of the Indian Penal Code read with Sections 3/4 of the Explosive Substances Act.

And

In Re : Jahanagir Sk. .... petitioner

Mr. Sagar Saha

Mr. Hamidur Rahaman

Mr. Nurnobi Sekh

....for the petitioner

Ms. Rituparna De Ghosh

... for the State

Mr. Tapodip Gupta

.... for the de facto complainant

1. Learned Counsel for the petitioner submits he is not the principal assailant. He is in custody for one year and seven months. He prays for bail.

2. Learned Counsel for the State opposes the bail prayer and submits two persons have died. Petitioner was a member of the unlawful assembly which shared common object to murder. Trial is in progress.

3. We have considered the materials on record. Eighteen out of twenty six witnesses have been examined. Evidence of eye-witnesses show petitioner and others came in a group with arms. One of whom i.e. Bajlu assaulted Sujan and another Imran Sk. assaulted Molina Bibi, wife of PW 1, Rabban

Sk. Petitioner had assaulted others who had intervened. He along with others threw bombs. In view of the incriminating evidence on record regarding participation of the petitioner in the offence which led to death of two persons and as trial has progressed considerably, we are not inclined to grant bail to the petitioner at this stage.

4. Application for bail is, thus, rejected.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**