

13.03.2024
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sdas
rejected

C.R.M.(DB) No. 799 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nakashipara Police Station Case No. 720 of 2023 dated 30.08.2023 under Sections 147/148/149/326/307/302/120B of the Indian Penal Code and Sections 25/27/35 of the Arms Act.

And

In Re : Mantu Sekh @ Sk. Petitioner

Mr. Arindam Jana
Mr. Sumanta Das
Ms. Atreyee Halder

....for the petitioner

Mr. Debasish Roy, learned PP
Mr. Anand Kesari

... for the State

1. Learned Counsel for the petitioner submits he is in custody for 194 days. It is also submitted he is not the principal accused. He prays for bail.

2. Learned Public Prosecutor opposes the bail prayer.

3. We have considered the statements of the witnesses including the injured witness. Petitioner was a member of the unlawful assembly who came to the spot and dragged out the victim from his residence. Thereafter victim was assaulted and one of them shot at him. Post mortem report shows death due to gunshot injury. In view of the aforesaid incriminating

materials and gravity of the offence, 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.)