

05.04.2024
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rejected

C.R.M.(DB) No. 999 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Mothabari Police Station Case No. 187 of 2020 dated 19.05.2020 under Sections 302/34 of the Indian Penal Code.

And
In Re : Mir Salamul Ali @ Mir Salemul Ali petitioner

Md. Wasim Akram
....for the petitioner

Mr. Anand Kesri
Mrs. Manasi Roy
... for the State

1. Learned Counsel for the petitioner submits he has been falsely implicated due to prior enmity. He has not participated in the assault. He prays for bail.

2. Learned Counsel for the State opposes the bail prayer.

3. We have considered the statements of the eye-witnesses. Petitioner and others had assaulted the victim. Post mortem report shows victim suffered number of sharp cutting injuries resulting in his death. Under such circumstances and in view of gravity of the offence, we are not inclined to grant bail to the petitioner.

4. Application for bail is, thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)