

18.4.2024
Ct. No. 28
SL No. 37
Bd / SB

C.R.M. (DB) 1081 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Raninagar P.S. Case No. 374 of 2021 dated 16.8.2021 under Sections 341/325/326/307/302/120B/34 of the Indian Penal Code & SectionS 25 /27 of Arms Act and Section 3/ 4 of Explosive Substances Act.

And

In the matter of: Dedarbox Mondal @ Dedar Baux Mandal Boxo @ Dedar Baux@ Boxo

Mr. Anisur Rahaman ...for the Petitioner

Ms. Faria Hossain
Mr. Arup Sarkar for the State

1. Supplementary affidavit annexing evidence of the prosecution witnesses has been placed on record.
2. Learned lawyer for the petitioner submits he did not fire at the victim. Witnesses stated he was standing with a bag containing bombs in his hand. He argues the evidence is presumptive as the witnesses could not have known what was inside the bag. Accordingly he prays for bail.
3. Learned lawyer for the State submits that the petitioner was arrested and the bombs were recovered from his possession.
4. We have considered the materials on record.
5. Witnesses stated petitioner was present alongwith co-accused, one of whom fired and others threw bombs at the victim. Witnesses stated that petitioner was carrying a bag full of bombs.
6. Though it is argued that the deposition of witnesses are speculative, prosecution strongly contends recovery of bombs from the petitioner corroborate their deposition. We are in agreement with the

submission made on behalf of the prosecution. Offences, if proved, would attract mandatory life imprisonment. Trial is in progress.

7. Under such circumstances, we are unable to grant bail to the petitioner.

8. The application for bail, is thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)