

15.04.2024
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rejected

C.R.M.(DB) No. 1124 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Basirhat Police Station Case No. 458 of 2023 dated 17.07.2023 under Sections 341/324/326/307/302/201/506/34 of the Indian Penal Code and Sections 25/27 of the Arms Act.

And
In Re : Rakesh Das petitioner

Mr. Kallol Kumar Basu
Md. Jannat Ul Firdous
....for the petitioner

Mr. Anand Keshari
Ms. Sudeshna Das
... for the State

1. Learned Counsel for the petitioner submits he has been falsely implicated due to political rivalry. In the initial investigation statements of the witnesses did not implicate him in the murder. Subsequently he was falsely implicated by an injured witness. He prays for bail.

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

3. We have considered the materials on record. We have also examined the statement of the injured witness. He was unable to identify his assailants. This does not erode the statement of the eye-witness who had identified the petitioner as the one who fired at the deceased. In view of the aforesaid

materials on record 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.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)