

24.04.2024
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rejected

C.R.M.(DB) No. 1271 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Raiganj Police Station Case No. 1280 of 2023 dated 04.12.2023 under Sections 302/120B/34 of the Indian Penal Code read with Sections 25(i)(a)/27/35 of the Arms Act.

And

In Re : Soleman Ahammed alias Md. Soleman petitioner

Mr. Kushal Paul

....for the petitioner

Mr. Soumik Ganguly

Mr. Soham De Shara

... for the State

1. Learned Counsel for the petitioner submits he is in custody for 146 days. It is also submitted victim was murdered by two unknown persons. He is no way involved in the murder. Accordingly, he prays for bail.

2. Learned Counsel for the State opposes the bail prayer and submits son of the petitioner and another had murdered the victim. Petitioner had prior enmity with the victim. He entered into conspiracy with his son and others to commit the murder.

3. We have considered the materials on record. Witnesses stated petitioner and others had a meeting to murder the victim. Thereafter his son and another committed the murder. CCTV footage shows presence of his son and one Mojammel at the time of occurrence. In view of the aforesaid

clinging evidence on record and 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.)