

06.05.2024
tkm/ct 28
sl no. 45

C.R.M. (DB) 1437 of 2024

In Re : An application for bail under section 439 Cr.P.C in connection with Bagmundi P.S case no. 135 of 2023 dated 17.10.2023 under section 363/364/302/201/120B/34 IPC and 25/27/35 of the Arms Act

And

In Re : Md. Salim @ Babu

..... petitioner

Mr. fazlur Rahjan
Md Babul Hussain

..... for the petitioner

Mr. Abhishek Sinha
Ms. Dattatreya Dutta

..... for the State

1. Petitioner submits victims died due to accident. There is no direct evidence that he is implicated in the crime. He prays for bail.
2. Learned lawyer for the State opposes the bail prayer.
3. We have considered the materials on record. A white Bolero car was found lying damaged beside Ayodhya to Loharia Road. There was a dead body inside the vehicle. Another body was lying beside the vehicle. Post mortem report shows the victims died due to gun-shot injuries. Bodies were identified as that of witnesses in a criminal case registered in Jharkhand. Statements of witnesses show petitioner and others had abducted these witnesses from Jharkhand court. Tower location of the mobile phone of the petitioner shows his presence in and around the place where bodies of the victims were recovered. Finger print report is awaited.
4. In view of the aforesaid clinching evidence on record involving the petitioner in the murder of eye-witnesses in a criminal case, we are not inclined to grant bail to the petitioner at this stage.
5. Accordingly, prayer for bail is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)