

20.06.2024
Item no. 37.
Court No.28.
AB
(Rejected)

CRM (DB) 1764 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Haroa P. S. Case No.253 of 2023 dated 27.6.2023 under Sections 305/307/302/34 of the Indian Penal Code

And

In the matter of : Abbas Uddin Molla

.....Petitioner.

Mr. Nani Gopal Sarkar,
Mr. Devranjan Dasfor the Petitioner.

Ms. Amita Gaur,
Ms. N. Ahmedfor the State.

Mr. Sumanta Chakraborty
....for the Defacto complainant.

The petitioner says that he has been falsely implicated in this matter. He has no role to play in the alleged incident. He is in custody for about a year. There is no certainty as to when the trial will conclude. He prays for bail.

Learned Advocate for the State draws our attention to statements of witnesses recorded under Section 164 Cr.P.C. We have seen the statement of at least one eyewitness who has stated that the petitioner herein dealt the fatal blow to the victim, who subsequently died. We have also seen the medical report which talks of ante mortem injuries.

Learned Advocate for the defacto complainant also opposes the prayer for bail.

In view of the prima facie incriminating evidence against the petitioner and the gravity of the offence, we are not inclined to allow the prayer of the petitioner, at this stage.

The prayer for bail is, accordingly, rejected.

CRM (DB) 1764 of 2024 is dismissed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)