

14.06.2024
Item no. 35.
Court No.28.
AB
(Rejected)

CRM (DB) 1717 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Khargram P. S. Case No.231 of 2023 dated 8.7.23 under Sections 364/302 of the Indian Penal Code

And

In the matter of : Mafijul Sk.

.....Petitioner.

Ms. Minoti Gomes
Mr. Hafiz Alifor the Petitioner.

Mr. Antarikhya Basu
Mr. Santanu Talukdarfor the State.

The petitioner is one of several accused persons. The allegation is that the victim/deceased was abducted by the petitioner and others. Thereafter, he was murdered.

The petitioner says that he had no specific role to play in the matter. After filing of charge sheet, three dates were fixed for consideration of charge. However, on none of the dates the charges were considered. He is in custody for 238 days. He should be granted bail.

Learned Advocate for the State strongly opposes the prayer for bail. Our attention is drawn to several statements of eyewitnesses recorded under Section 164 Cr.P.C. which specifically implicate this petitioner. Further, learned Advocate

for the State draws our attention to an order dated February 7, 2024 passed by a Coordinate Bench in CRM (DB) 385 of 2024 whereby the prayer for bail of a co-accused was rejected by this Court. It appears that the present petitioner stands on the same footing as that petitioner.

In view of the aforesaid, we are not inclined to entertain the petitioner's prayer for bail, at this stage.

The prayer for bail is, accordingly, rejected.

CRM (DB) 1717 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.)