

05.07.2024
Item no. 40.
Court No.28.
AB
(Rejected)

CRM (DB) 1923 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Chapra P. S. Case No.999 of 2023 dated 24.12.2023 under Sections 302/34 of the Indian Penal Code

And

In the matter of : Faraj Sk.

.....Petitioner.

Mr. Prabir Majumdar
Mr. S. Majumdar

.....for the Petitioner.

Ms. Anasuya Sinha
Mr. Asif Dewan

.....for the State.

Order dictated in open Court by Apurba Sinha Ray, J.

Learned Advocate for the petitioner has submitted that he is not named in the first information report. He is in custody for about 194 days. As the investigation is complete, he may be granted bail on any condition. The principal accused persons are languishing in the judicial custody.

Learned Advocate for the State has vehemently opposed the prayer for bail. According to her, on the basis of leading statement of the present petitioner, one of the offending weapons has been recovered from the house of the present petitioner. There is sufficient incriminating evidence against the present petitioner and as such, she prays for rejection of the instant bail application.

We have gone through the material in the case diary and the CD. It appears that on the basis of leading statement of the present petitioner, one of the offending weapons was recovered from his house. There are other incriminating materials against the present petitioner indicating prima facie that he was the mastermind behind the attack on the victim.

Hence, we are not inclined to allow the petitioner's prayer for bail, at this stage.

The prayer for bail is, accordingly, rejected.

CRM (DB) 1923 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.)