

50.
05-07-2024
(ct. no.28)
debajyoti
(rejected)

CRM (DB) 1934 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bharatpur Police Station Case No.104 of 2024 dated 27-04-2024 under Sections 341/325/326/307/506/34 of Indian Penal Code and Section 9B of I.E. Act.

- A n d -

In the matter of : Taher Sk. & Anr.

.... Petitioners.

Mr. Kallol Kumar Basu,
Mr. Md. Jannat ul Firdous

... For the Petitioners.

Mr. Md. Adil Badr,
Mr. Tirthankar Dhali

... For the State.

Mr. Md. Hafiz Ali

... For the defacto-complainant.

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

Learned advocate for the petitioners has submitted that there is no injury suffered by anybody due to explosion of bombs. It is further submitted that the present petitioners are standing on the same footing with co-accused persons, namely, Mannihar Bibi @ Mene Bibi and Samiran Bibi, who have been enlarged on bail. As such, they may be granted bail on any condition. They are in custody for about 69 days.

Learned advocate for the State raises strong objection to the prayer of the petitioner for bail. According to him, the present petitioners do not stand on the same footing as the other co-accused persons. Furthermore, the investigating agency has recovered five live bombs from the custody of the petitioner no.1. Investigation is still going on.

If the present petitioners are enlarged on bail, the investigation of the instant case may suffer.

We have gone through the material on record. We find that the present petitioners are not similarly circumstanced as the other accused persons, namely, Mannihar Bibi @ Mene Bibi and Samiran Bibi. There is specific incriminating material against the present petitioners.

In view of the aforesaid, we are not inclined to allow the prayer of the petitioners for bail, at this stage.

The application for bail being CRM (DB) 1934 of 2024 is, thus, **dismissed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)