

3.
30-09-2024
(ct. no.28)
debajyoti
(rejected)

CRM (DB) 2397 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Tamluk Police Station Case No.829 of 2022 dated 14-09-2022 under Sections 302/201 of the Indian Penal Code read with Sections 25/27 of the Arms Act.

- A n d -

In the matter of : Sk. Motiul @ Sk. Matiul @ Anna @ Anand
.... Petitioner.

Mr. Navanil De,
Mr. Subhrajit Dey

... For the Petitioner.

Mr. Rudradipta Nandy, learned APP

... For the State.

Dictated by Apurba Sinha Ray, J.

Learned counsel for the petitioner submits that the petitioner is on the same footing with the co-accused person, namely, Soumendra Nath Ghosh. He is in custody for about 196 days. He is not the principal accused. The principal accused is in custody. He may be granted bail on any condition.

Learned counsel for the State submits that the petitioner had conspired to dispose of the dead body after commission of the offence by the principal accused and he had active role in screening the offender and destroying the evidence. Moreover, the petitioner was an absconder for a long time and he was declared proclaimed offender. It is submitted that if he is granted bail, he may again abscond.

We have considered the material in the Case Diary. It appears that the present petitioner is not standing on the

same footing as Soumendra Nath Ghosh. Moreover, the anticipatory bail of the present petitioner was previously rejected. Considering all these aspects, we are not inclined to allow the prayer of the petitioner for bail, at this stage.

The application for bail being CRM (DB) 2397 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.)