

08.08.2024.
25.
Ct.No.06
as
(Rejected)

C.R.M. (DB) 2480 of 2024

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita in connection with Kashipur P.S. Case No.277 of 2023 dated 16.06.2023 under Sections 147/148/149/341/302/109/120B of the Indian Penal Code and Section 9B of the Explosives Act and charge sheet submitted under Sections 147/148/149/ 341/302/109 /120B of the Indian Penal Code and Section 9B of the Explosives Act.

In the matter of : **Nantu Molya @ Nantu Molla.**
... Petitioner.

Mr. Kallol Basu,
Mr. Suman Banerjee,
Mr. Sujoy Sarkar.

...for the Petitioner.

Ms. Amita Gaur,
Mr. Sandip Kundu.

...for the State.

1. Petitioner contends no overt act has been attributed to him. He has been falsely implicated. Bail prayer of co-accused viz., Jahangir Mali has been allowed. Accordingly, he prays for bail.

2. Learned Advocate for the State opposes the bail prayer. She submits witnesses state petitioner and one Yunbus Molla threw bombs at the victim.

3. We have considered the materials on record. A skirmish occurred between two political groups over submission of nomination papers during the Panchayat election. One Raju Naskar expired. Statements of witnesses before Magistrate show petitioner and another had thrown

bombs at the victim. Post mortem report corroborates the ocular version of bomb injury on the deceased.

4. In view of the aforesaid specific overt act attributed to the petitioner, we are of the opinion he does not stand on the same footing with co-accused Jahangir Mali who has been enlarged on bail. Considering this fact and gravity of the offence, we are not inclined to grant bail to the petitioner at this stage.

5. Accordingly, the prayer for bail of the petitioner is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)