

56.
03-12-2024
(ct. no.29)
debajyoti
(rejected)

CRM (DB) 3099 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 Kolaghat Police Station Case No.315 of 2024 dated 16-04-2024 under Sections 302/34/394/411 of the Indian Penal Code.

- A n d -

In the matter of : Sajahan Khan

.... Petitioner.

Mr. Md. Sahajahan Hossain,
Mrs. Sanjida Sultana,
Mr. Sanwar Mullick

... For the Petitioner.

Mr. Saibal Bapuli,
Mr. Atanu Ghosh

... For the State.

Dictated by Apurba Sinha Ray, J.

1. Learned advocate for the petitioner submits that the petitioner has been falsely implicated in this case. There is no Test Identification Parade. There is no direct evidence against this petitioner that he had committed the offence. Investigation is complete and as such, he may be granted bail on any condition.

2. Learned advocate for the State opposes the prayer for bail. According to him, there is sufficient incriminating material showing that the present petitioner was present at the time of the incident at the place of occurrence and there

are some material witnesses who identified the petitioner in Test Identification Parade.

3. We have considered the material on record. Charge is yet to be framed. There is incriminating material against the present petitioner. In view of the same, we are not inclined to allow the prayer of the petitioner for bail, at this stage.

4. The application for bail is, thus, **dismissed**.

5. Since the petitioner is in custody for quite some time, the learned trial Court is requested to expedite the trial to the extent possible and conclude the same on an early date.

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

7. 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.)