

67. 06.11.2024
Court
No.1 (Tanmoy)

Rejected

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

CRM (DB) 520 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with Mekhliganj P.S. Case No. 12/2024 dated 11.01.2024.

And
In the matter of: - **Md Ajijul Haque Sarkar @ Sipai @ Ajijul Sarkar** ...petitioner.
Mr. Hillol Saha Podder
Ms. Mousumi Das ...for the petitioner.
Mr. Aditi Shankar Chakraborty, Ld. APP
Mr. Subhasish Misra ...for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner renews his prayer for bail which was rejected on merits twice, firstly, on May 17, 2024, in CRM (DB) 238 of 2024 and secondly, on July 10, 2024, in CRM (DB) 301 of 2024.
2. The petitioner says that he has been falsely implicated. He is not involved in the alleged crime. He is in custody for 296 days. One co-accused person is still absconding. Charge has not been framed.
3. Learned State Advocate opposes the prayer for bail. He draws our attention to statements of witnesses recorded under Section 164 of the Code of Criminal Procedure, 1973, as also to the injury report. One of the victims succumbed to the

injury. Hence Section 302, Indian Penal Code, has been added.

4. On an overall consideration of the material on record which *prima facie* implicates this petitioner and considering the nature and gravity of the alleged offence, we are not inclined to allow the petitioner's prayer for bail, at this stage. Hence the prayer for bail is rejected.
5. The application being CRM (DB) 520 of 2024 is accordingly dismissed.
6. All parties shall act in terms of the server copy of this order duly downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Biswaroop Chowdhury, J.)