

S.C case No.33/23[CNR No.WBNP01-000476-2023]

Order No.3
dated 03.05.23.

Record is put up today on a put up petition filed on behalf of accused Md Sarif alias Akash alias Bhupo with another petition for releasing him on bail in c/w Rajarhat P.S case No.296 dated 21.09.22 under Sections 302/120B of IPC and Section 35 of Arms Act, G.R case No.3865 of 2022.

Copy of the bail petition supplied to Ld Special PP who received with strong objection.

Ld Advocate for the applicant/accused and Ld Special PP are present.

Ld Advocate for accused prays for releasing the accused on bail on any condition.

On the other hand, Ld PP-in-Charge strongly objected to the bail prayer on the ground of seriousness of the allegations.

Upon hearing both sides, it appears that the complaint was lodged alleging that one Motiar Rahaman Sanful was died and there is allegations of conspiracy of his murder by the accused and others. The bail prayer of the co-accused has been rejected by Ld Sessions Judge on 16.02.23 by a detailed order. The case is at the stage of consideration on the point of Charge and the deficient documents have already been supplied. This Court was intending to fix the date for consideration on the point of Charge on 06.05.2023 vide order No.2 dated 26.04.23 but Ld Advocate for the accused himself requested to change the date for 08.06.23.

Considering the nature of allegation, seriousness of the Charge and the stage of the case as well as the material on record, I am not inclined to release the accused on bail at this stage, as he may tamper with the evidence/flee from justice.

Hence, it is

O r d e r e d

that the bail prayer of accused Md Sarif alias Akash alias Bhupo is considered and rejected at this stage.

Nothing observed hereinabove shall amount to any expression on merits of the case as the record has been scrutinized for the limited purpose of deciding the instant bail application.

Todate ie 08.06.23 for consideration on the point of Charge.

Dict.& corrected by me,

3rd Addl. Sessions Judge.

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Barasat