

**12.04.2021**

Court No.28

rpan/125

**CRM No. 1428 of 2021**

(Via video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Santipur Police Station Case No. 659 of 2019 dated 01.07.2019 under Sections 302/201/34 of the Indian Penal Code ;

And

In Re: **Ganesh Sardar**

...Petitioner

Ms. Madhumita Patra

...For the Petitioner.

Mr. Sudip Ghosh,

Mr. Bitasok Banerjee

...For the State

The learned advocate for the petitioner submits that the petitioner is in custody since 12<sup>th</sup> November, 2019 and there has been no progress in the case.

On the other hand, the learned advocate for the State opposes the prayer for bail and submits that the petitioner is the sole accused. Recoveries and statements of the witnesses reflects the involvement of the petitioner and there were earlier attempts by the present petitioner who happens to be the brother of the deceased victim.

Having regard to the nature of the offence and the materials appearing in the case diary and the stage of the case, we are of the opinion that the petitioner is not entitled to be released on bail at this stage. Accordingly, the prayer for bail of the petitioner is rejected.

In case, there is a delay caused at the instance of the prosecution, the petitioner will be at liberty to renew the prayer for bail after six months.

The application of bail, being CRM 1428 of 2021, is, thus, dismissed.

**(Tirthankar Ghosh, J.)**

**(Soumen Sen, J.)**