

47 14.03.2022
(AD) Court No.29
(Rejected)

C.R.M. (DB) 655 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Uluberia** P.S. Case No.**93 of 2020** dated **09/03/2020** under Sections **341/506/324/325/302/34** of the Indian Penal Code.
And

In the matter of: Biplob Ghosh

....petitioner.

Mr. Milon Mukherjee, Sr. Advocate

Mr. Soumya Basu Roy Chowdhuri

...for the petitioner.

Mr. Neguive Ahmed, Ld. APP

Ms. Trina Mitra

... for the State.

Petitioner renews the prayer for bail.

Learned Senior Advocate appearing for the petitioner submits that the petitioner is in custody for 750 days. He draws the attention of the Court to the statement of the eye-witness recorded under Section 164 of the Code of Criminal Procedure. He submits that the petitioner is not implicated in the incident.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary including the statement of the eye-witness, Tapas Adhikary, recorded under Section 164 of the Code of Criminal Procedure.

Considering the fact that the statement of Tapas Adhikary recorded under Section 164 of the Code of Criminal Procedure and considering the gravity of the offence and the involvement of the petitioner therein and considering the fact that there is hardly any material change in circumstance

subsequent to the earlier order of rejection, we are unable to grant bail to the petitioner.

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

C.R.M. (DB) 655 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)