

01.04.2022
Serial no.54
[Dd]
(Bail **Rejected**)

CRM (DB) 876 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Shyampur** Police Station Case No. **275** of **2021** dated **10.07.2021** under Sections **302/34** of the Indian Penal Code. (G.R. No. **1565 of 2021**)

-And-

In the matter of : Shibprasad Kuilya @ Shib Prasad Kuillya
... ..Petitioner

Mr. Debabrata Acharyya,
Mr. Sital Samanta, Advocates
... .. For the Petitioner

Mr. Neguive Ahmed, Id. APP
Mr. Iqbal Kabir, Advocate
... ...For the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the incident arose out of property dispute amongst family members. The petitioner is in custody for 263 days. The co-accused is on bail. The police filed charge sheet and, therefore, further detention of the petitioner is not required.

Learned Additional Public Prosecutor appearing for the State draws the attention of the Court to the statement of the eye-witness recorded under Section 164 of the Criminal Procedure Code implicating the petitioner.

In her statement the eye-witness states that the victim was murdered by the petitioner.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the fact that petitioner is the principal accused and the

petitioner stands on a different footing as that of other co-accused who was enlarged on bail, we are not inclined to grant bail to the petitioner.

Prayer for bail of the petitioner is **rejected**.

CRM (DB) 876 of 2022 is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)