

17.05.2022

Sl. 86

Court No.29

suvayan

(Rejected)

C.R.M. (DB) 1295 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Baishnabnagar** P.S. Case No. **477/2020** dated **11/09/2020** under Section **342, 302, 201, 120B, 34** of the Indian Penal Code.

And

In the matter of: Rijul Sk

....petitioner.

Mr. Sourav Chatterjee

Mr. Sagar Saha

...for the petitioner.

Mr. Swapan Banerjee

Ms. Purnima Ghosh

...for the State.

Petitioner renews the prayer for bail.

Learned Advocate appearing for the petitioner submits that although these four applications for prayer for bail, the change in circumstances is that the jurisdictional Court enlarged another co-accuseds on bail. The petitioner is similarly situated as that of the co-accuseds.

Learned Advocate appearing for the State submits that the seizure of the murder weapon was made from the possession of the petitioner. He refers to the seizure list in this regard.

In response, learned Advocate appearing for the petitioner submits that the seizure was witnessed by two constables. The seizure of the murder weapon was from the petitioner. His Left Thumb Impression appears in the seizure list.

Considering such fact, it cannot be said that the petitioner stand in the same footing as that of the other co-accuseds was enlarged on bail by the jurisdictional Court.

Considering the gravity of the offence and the involvement of the petitioner therein, we are unable to grant bail to the petitioner.

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

C.R.M. (DB) 1295 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

