

18.05.2022

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Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M. (DB) 1301 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Kotulpur** Police Station Case No. **199** of **2021** dated 11.08.2021 under Sections 302/34 of the Indian Penal Code.

And

In Re : Bablu Malik @ Mallick

..... petitioner

Ms. Pampa Dey (Dhabal)

....for the petitioner

Mr. Sudip Kumar Ghosh

Mr. Bitasok Banerjee

....for the State

Petitioner renews the prayer for bail.

Learned advocate appearing for the petitioner submits that, the petitioner is in custody for 270 days. The police filed charge-sheet and, therefore, further detention of the petitioner is not required. The petitioner was not named in the First Information Report (FIR). No recovery was made from the possession of the petitioner.

Learned advocate appearing for the State submits that, the petitioner was implicated by the statement of the eye witnesses recorded under Section 161 of the Code of Criminal Procedure (Cr.P.C.).

Considering the fact that there is hardly any change in circumstances subsequent to the earlier order of rejection and

considering the materials in the case diary implicating the petitioner, we are unable to grant bail to the petitioner.

In such circumstances, prayer for bail of the petitioner is rejected and the application being CRM (DB) 1301 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)