

13.06.2022

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rejected

C.R.M. (DB) 1590 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Khanakul Police Station Case No. 93 of 2021 dated 04.03.2021 under Sections 363/365 of the Indian Penal Code and adding Sections 302/201 of the Indian Penal Code.

And

In Re : Bishwajit Dolui petitioner

Mr. Niladri Sekhar Ghosh
Ms. Srimoyee Mukherjee
Mr. Sourav Mondal

... for the petitioner

Mr. Madhusudan Sur, learned APP
Mr. Dipankar Paramanick

... for the State

Learned Counsel appearing for the petitioner renews his prayer for bail. He submits that the weapon of offence recovered on his leading statement does not match with the nature of injuries in postmortem report.

Learned Counsel appearing for the State opposes prayer for bail. He submits that bail prayer of the petitioner was rejected in March, 2022.

We have considered the materials on record. On the leading statement of the petitioner weapon of offence was recovered. There is nothing on record to show that the weapon of offence could not at all be used to cause injuries on the deceased as noted in the postmortem report.

In view of the aforesaid facts and as prayer for bail of the petitioner was rejected in March, 2022, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)