

21.07.2022
cm/ct 28

C.R.M. (DB) 2308 of 2022

sl. no. 4

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Deganga P.S Case No. 160 of 2022** dated **07.03.2022** under Sections **302/201/120B & 34** of the Indian Penal Code and chargesheet submitted against the petitioner under Section 120 B of the Indian Penal Code

Rejected

And

In Re : Sahabuddin Jomader

..... petitioner

Mr. Angshuman Chakraborty
Mr. Shashanka Shekhar Saha

..... for the petitioner

Mr. Neguive Ahmed, Ld. A.P.P.
Ms. Trina Mitra

..... for the State

Petitioner is in custody for 129 days. He submits there is no direct evidence connecting the petitioner with the crime and investigation is complete.

Learned Additional Public Prosecutor submits deceased had an illicit affair with the wife of the petitioner. He had motive to commit the crime. There are frequent telephonic conversations between the petitioner and the co-accused before and after the occurrence. Co-accused made extra judicial confession implicating the petitioner. On his leading statement belongings of the deceased were recovered.

We have considered the materials on record. We are conscious the statement of a co-accused is a weak piece of evidence which requires corroboration. Investigation reveals telephonic conversations between the petitioner and co-accused corroborating the statement of the latter. Petitioner also has motive to commit the

crime. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

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

Investigating Officer is present. His presence is noted and dispensed with.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)