

29.07.2022

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rejected

C.R.M. (DB) No. 2527 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 petitioner

Mr. Sandip Chakraborty

Mr. Suwendu Hazra

Mr. Kaustav Das

... for the petitioner

Mr. Swapan Banerjee

Mr. Anindya Sundar Chatterjee

... for the State

Petitioner renews his prayer for bail.

Learned Counsel appearing for the petitioner submits that petitioner is in custody for eleven months. It is further submitted that petitioner has not been named by Alope Kumar Malik in his statement recorded under Section 164 of the Code of Criminal Procedure.

Learned Counsel appearing for the State opposes prayer for bail and submits petitioner was named by one Dhiru Malik in his statement recorded under Section 161 of the Code of Criminal Procedure. It is also submitted that prayer for bail of the co-accused was rejected by this Court.

We have considered the materials on record. Statement of one Dhiru Malik recorded under Section 161 of the Code of Criminal Procedure discloses role of the petitioner in the murder

of the victim. Bail prayer of co-accused has been turned down by this Court. Keeping in mind the aforesaid facts and in view of gravity of the offence, we are not inclined in granting bail to the petitioner at this stage.

The application for bail is, thus, rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)