

08.08.2022

cm/ct 28

sl. no. 37

C.R.M. (DB) No. 2664 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Kolkata Leather Complex P.S. **Case No. 109 of 2021** dated **15.10.2021** under Sections **302/201/34** of the Indian Penal Code.

Rejected

And

In Re : Saidul Sk.@ Chottu @ Saidul Sekh

..... petitioner

Mr. Sandipan Ganguly, Sr. Adv.

Mr. Angshuman Chakraborty

.... for the petitioner.

Mr. Biswajit Manna

Mr. D. Dutta

..... for the De-facto complainant

Mr. Saibal Bapuli, Ld. A.P.P.

Mr. Iqbal Kabir

..... for the State

Petitioner renews his prayer for bail. It is submitted there is no direct evidence connecting him with the crime. He has been falsely implicated on the confessional statement of the co-accused.

Learned Additional Public Prosecutor for the State opposes the prayer for bail.

Learned lawyer for the De-facto complainant also opposes the prayer for bail.

We have considered the materials on record. Confessional statement of co-accused implicates the petitioner. We are conscious such evidence is a weak one and at its height may be used for corroboration. Other materials on record show petitioner had illicit relationship with co-accused Muslima Bibi. He had telephonic conversations with her during the day of the incident. He was seen

near the place of occurrence at night. These circumstances corroborate the confessional statement of the co-accused and implicate the petitioner in the murder.

In view of the aforesaid materials on record and gravity of the offence, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected at this stage.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)