

17.01.2022
S.D.
16.

C.R.M. 8404 of 2021

In Re: An Application for bail under Section 439 of the Code of
Criminal Procedure:

And

In Re: **Jiten Ghosh**

.....Petitioner.

Mr. Sabyasachi Mukherjee

Mr. Bibek Dey

Mr. Mukesh Khanna

...for the Petitioner.

Mr. Madhusudan Sur,Ld.APP.,

Mr. Manoranjan Mahata

....for the State.

The present application under Section 439 of the Code of Criminal
Procedure has been preferred by the petitioner in connection with
Purbasthali Police Station Case No. 52 of 2021 dated 15.02.2021 under
Section 302/34 of the IPC read with Sections 25/27 of the Arms Act, 1959.

Mr. Mukherjee, learned advocate appearing for the petitioner
submits that the petitioner has been falsely implicated. He is languishing
in custody for more than 10 months and upon completion of
investigation, charge sheet has also been submitted. In view thereof, the
petitioner may be enlarged on bail on any stringent condition.

Mr. Sur, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statements of the witnesses and the post mortem report.

Record reveals that the petitioner's prayer for bail was earlier rejected by a Coordinate Bench of this Court on 28.9.2021.

We do not find any substantial change in the circumstances subsequent to such rejection. Considering the gravity of the offence and the extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise any discretion in his favour. As such, his prayer for bail is refused at this stage.

The application being C.R.M. 8404 of 2021 is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Ajoy Kumar Mukherjee, J.)

(Tapabrata Chakraborty, J.)