

**19.09.2022**  
Sl. No.36  
**akd**  
[Rejected]

**C. R. M. (DB) 3166 of 2022**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 09.09.2022 in connection with Hanskhali Police Station Case No. 768 of 2021 dated 05.11.2021 under Sections 447/326/307/34/302 of the Indian Penal Code.

And

In Re: ***Sushen Biswas @ Sushen Mondal***

... .. Petitioner

Ms. Minoti Gomes

... .. for the petitioner

Mr. Saswata Gopal Mukherjee .. Id. Public Prosecutor

Ms. Faria Hossain

Mr. Anand Kesari

... .. for the State

Petitioner renews his prayer for bail. It is submitted on behalf of the petitioner that co-accuseds have been enlarged on bail.

Learned advocate appearing for the State opposes the prayer for bail and submits one co-accused is still absconding.

We have considered the materials on record. Statements of witnesses implicate the petitioner in the murder. Co-accuseds were granted bail as they were the women folk of the family. Petitioner does not stand on the same footing with them. Prayer for bail of the petitioner was rejected earlier. Keeping in mind the aforesaid incriminating materials and gravity of the offence, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is thus **rejected**.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**

