

29.09.2022

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rejected

C.R.M.(DB) No. 3356 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Serampore Police Station Case No. 80 of 2022 dated 25.03.2022 under Sections 302/201 of the Indian Penal Code.

And

In Re : Shivam Shaw petitioner

Mr. Sanjib Mitra
Mr. Suryasarathi Basu
... for the petitioner

Ms. Zareen N. Khan
Md. Kutubudin
... for the State

Mr. Rajendra Chaturvedi
.... for the de-facto complainant

Learned Counsel appearing for the petitioner submits he is in custody for 183 days. It is submitted that one of the suspects, namely, Kamal Chourasia, who stands on the same footing with the petitioner, was discharged. He prays for bail.

Learned Counsel appearing for the State opposes prayer for bail.

We have considered materials on record. Petitioner and Kamal Chourasia do not stand on the same footing. On the leading statement of the petitioner, note book of the deceased was recovered. It contained over-writings by the petitioner. Other incriminating articles implicating the petitioner have also been recovered.

In view of the aforesaid materials on record 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.)