

07.11.2022.
32.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 3559 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kandi P.S. Case No.173 of 2022 dated 05.04.2022 under Sections 341/325/307/302/34 of the Indian Penal Code.

In the matter of : Lalchehara Bibi & Anr.

... Petitioners.

Mr. Sourav Chatterjee,
Mr. Manas Kr. Das,
Mr. Asraf Mandal.

...for the Petitioners.

Mr. Arijit Ganguly,
Ms. Baisali Basu.

...for the State.

It is submitted on behalf of the petitioners that the vital injured witnesses were not examined in the course of investigation. Petitioners are in custody for 227 days. They pray for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Statements of eye witnesses recorded under Section 164 of the Code of Criminal Procedure implicate the petitioners in the murder. Vital injured witnesses may be examined in the course of trial by invoking of Section 311 of the Code of Criminal Procedure, if necessary. However, materials collected in the course of investigation disclose involvement of the petitioners. Hence, we are not inclined to grant bail to the petitioners at this stage.

Accordingly, the prayer for bail of the petitioner is rejected.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)