

07.11.2022.
35.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 3587 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kalyani P.S. Case No.242 of 2022 dated 20.05.2022 under Sections 302/120B/34 of the Indian Penal Code and Section 25/27 of the Arms Act and charge sheet submitted under Sections 302/34 of the Indian Penal Code read with Sections 25/27 of the Arms Act.

In the matter of : Sani Prasad.

... Petitioner.

Mr. Rajdeep Mazumder,
Mr. Moyukh Mukherjee,
Mr. Abhijit Singh.

...for the Petitioner.

Mr. Rudradipta Nandy, Id. A.P.P.,
Mrs. Sonali Das.

...for the State.

Petitioner is in custody for 164 days. It is submitted he has been falsely implicated in the instant case. He was not identified at the place of occurrence. He further submits co-accused has been granted bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Motor cycle which was used for committing murder was recovered from the residence of the petitioner.

In view of the aforesaid incriminating materials on record, we are of the opinion petitioner does not stand on the same footing with co-accused who has been released on bail.

Hence, we are not inclined to grant bail to the petitioner at this stage.

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

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)