

07.11.2022
tkm/ct 28
sl no.76

C.R.M. (DB) 3881 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Santipur Police Station Case No. 73/2022 dated 27.1.2022 under Section 302/34 of the IPC

And

In Re : Gopal Ghosh petitioner

Mr. Kallol Mondal

Mr. A Agarwala

Mr. S Debnath

Ms. R Roy

..... for the petitioner

Mr. S Bapuli

Mr. Bibaswan Bhattacharya

..... for the State

Bail prayer of the petitioner was rejected in September 2022.

Thereafter co-accuseds have been enlarged on bail by a co-ordinate

Bench of this court. Hence, petitioner renews his prayer for bail.

Learned lawyer for the State opposes prayer for bail.

We have considered the materials on record including the statements of witnesses. Statement of the son of the petitioner shows the deceased made an oral dying declaration implicating the petitioner in the crime.

It may also be relevant to note that the bail prayer of the petitioner was rejected in September 2022 had not been placed/considered by the co-ordinate Bench while granting bail to co-accuseds.

In view of the aforesaid materials, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, the prayer for bail is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)