

29.11.2022
as/tkm/ct 28
sl no.41

C.R.M. (DB) 4197 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.505 of 2021 dated 17.7.2021 under Sections 448/325/326/307/120B of the Indian Penal Code and adding section 302 of the IPC

And

In Re : Sanjit Biswas @ Avijit Biswas petitioner

Mr. K Hasan

..... for the petitioner

Mr. N Ahmed

Ms. Trina Mitra

..... for the State

Petitioner is in custody for 310 days. It is submitted co-accused is on bail. He renews his prayer for bail.

Learned lawyer for the State opposes the prayer for bail and submits petitioner is the principal accused. He is the paramour of co-accused Sima Ghosh who is on bail.

We have considered the materials on record. Petitioner appears to be the principal accused. On his leading statement weapon of offence was recovered. He does not stand on the same footing with co-accused Sima Ghosh who is a lady and alleged to be a conspirator.

Under such circumstances and as bail prayer of the petitioner was rejected earlier on merits, 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.)