

15.03.2023
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rejected

C.R.M. (DB) No. 942 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chapra Police Station Case No. 553 of 2021 dated 20.12.2021 under Sections 302/34 of the Indian Penal Code.

And

In Re : Kalachand Sk. petitioner

Mr. Partha Pratim Das

Mr. Amanul Islam

Mr. Sourav Mukherjee

... for the petitioner

Mr. Rudradipta Nandy, learned APP

Mr. Subroto Roy

... for the State

Learned Counsel for the petitioner submits he is in custody for 384 days. It is also submitted that co-accuseds are on bail. He renews his prayer for bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. Statements of the witnesses recorded under Section 164 of the Code of Criminal Procedure implicate the petitioner. Co-accuseds who are on bail were not named in the statements of the witnesses recorded under Section 164 of the Code of Criminal Procedure. In view of gravity of the offence and incriminating materials on record implicating the petitioner, we are not inclined to grant bail to him at this stage.

The application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)