

23.03.2023

32
sdas
rejected

C.R.M. (DB) No. 1056 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliganj Police Station Case No. 276 of 2021 dated 20.05.2021 under Sections 302/34 of the Indian Penal Code.

And

In Re : Prasenjit Bairagya & Ors. petitioners

Mr. Prabir Majumder

... for the petitioners

Ms. Faria Hossain

Ms. Baisali Basu

Ms. Mamata Jana

... for the State

Learned Counsel for the petitioners submits they are in custody for over 600 days. They pray for bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. Statement of witness recorded under Section 164 of the Code of Criminal Procedure implicates the petitioners in the murder. They do not stand on the same footing with the co-accused who has been enlarged on bail. Trial is in progress. Under such circumstances, we are not inclined to grant bail to the petitioners at this stage.

Prayer for bail of the petitioners is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

