

24.03.2023
tkm/ct 28
sl no.43

C.R.M. (DB) 1090 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Bhadreswar PS case no. 496 of 2022 dated 14.9.2022 under sections 325/304 IPC charge sheet submitted under sections 302//201/34 IPC

And

In Re : Shiw Kumar Harijan

..... petitioner

Mr. Bitasok Banerjee

..... for the petitioner

Ms Z N Khan

Mr. Ashok Das

..... for the State

Petitioner is in custody for 189 days. He submits there is no direct evidence connecting him with the murder. He prays for bail.

Learned lawyer for the State opposes the bail prayer. he submits bail prayer of co-accused Prakash Harijan was turned down earlier by this court.

We have considered the materials on record. Petitioner stands more or less on the same footing with co-accused Prakash Harijan. Bail prayer of Prakash Harijan was rejected earlier on merits. There are materials showing petitioner was last seen with the victim. Incriminating articles were also recovered from his residence.

Under such circumstances and in view of the gravity of offence, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, prayer for bail is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)