

02.05.2023

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rejected

C.R.M. (DB) No. 1778 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Serampore Police Station Case No. 132 of 2022 dated 02.05.2022 under Sections 302/201 of the Indian Penal Code.

And

In Re : Subir Adhikary petitioner

Mr. Protip Mukherjee

Ms. Rima Banerjee

... for the petitioner

Mr. Nguive Ahmed, learned APP

Ms. Trina Mitra

... for the State

Learned Counsel for the petitioner submits there is no direct evidence connecting him with the murder. He is in custody for about a year. He prays for bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. Petitioner is the paramour of the wife of the deceased. Statements of witnesses show there was heated exchange between the petitioner and the deceased. Incriminating articles have been recovered on the leading statement of the petitioner. Under such circumstances and in view of gravity of the offence we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

