

15.05.2023
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rejected

C.R.M. (DB) No. 1916 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Deganga Police Station Case No. 35 of 2023 dated 24.01.2023 under Sections 328/302 of the Indian Penal Code.

And

In Re : Bhadreswar Barik @ Bhadeswar petitioner

Mr. Jayanta Narayan Chatterjee

Md. Yunush Mondal

Mr. Pronojit Roy

... for the petitioner

Mr. Sudip Ghosh

Mr. Bitasok Banerjee

... for the State

Learned Counsel for the petitioner submits he is in custody for 100 days. It is also submitted statement of the victim to local witnesses is exonerative in nature. He prays for bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. Dying declaration of the victim recorded in the hospital implicates the petitioner in the murder. In view of the aforesaid circumstance little inspiration may be drawn from the statements of the neighbours with regard to cause of death. In view of the

incriminating materials on record and gravity of the offence, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)