

05.06.2023
tkm/ct 28
sl no.38

C.R.M. (DB) 2074 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Bajora PS case no. 47 of 2022 dated 18.3.2022 under sections 364/120B IPC

And

In Re : Kailash Ghosh petitioner

Mr. S Ganguli
Mr. S Shasmal

..... for the petitioner

Mr. N Ahmed
Ms. A. Gaur

..... for the State

Mr. Joanna S Sarkar
Mr. Rameshwar Sinha

..... for the de facto complainant

Petitioner submits there is no direct evidence showing that he was last seen with the victim. He is in custody for 40 days. He prays for bail.

Learned lawyer for the State submits petitioner had conspired with the principal accused Sagar Ghosh to commit the offence. Trial is in progress.

We have considered the materials on record. Sagar Ghosh was last seen with the victim who was abducted and murdered. There are statements to show that the petitioner was also seen near the place of occurrence. Trial is in progress.

Under such circumstances and in view of the gravity of offence we do not consider it prudent to enlarge the petitioner on bail at this stage.

Accordingly, prayer for bail is rejected.

Trial court is directed to expedite the trial and conclude the same at an early date.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)