

05.07.2023
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rejected

C.R.M.(DB) No. 2449 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliachak Police Station Case No. 564 of 2022 dated 26.05.2022 under Sections 448/323/326/354/308/302/34 of the Indian Penal Code.

And

In Re : Rasel Mia petitioner

Mr. Sekhar Kumar Basu, Sr. Adv.

Mr. M. H. Chowdhury

Mr. Mobashshara Alam

....for the petitioner

Ms. Zareen N. Khan

Md. Kutubuddin

..... for the State

Learned Counsel for the petitioner submits he is in custody for 13 months. It is also submitted that there was property dispute between the parties. He prays for bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record including the statements of the eye-witnesses recorded under Section 164 of the Code of Criminal Procedure. From their statements it appears that the petitioner was the principal accused who dealt the fatal blow. In view of the aforesaid 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.)