

20.07.2023
Sl. No.23
akd
[Rejected]

C. R. M. (DB) 2882 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 11.07.2023 in connection with Borjora Police Station Case No.47 of 2022 dated 18.03.2022 under Sections 364/302/201/120B/34 of the Indian Penal Code.

And

In Re: **Sagar Ghosh**

... .. Petitioner

Mr. Subhas Chandra Atha
Ms. Payal Paramanick

... .. for the petitioner

Ms. Zareen N. Khan
Md. Kutubuddin

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 483 days. It is further submitted there is no direct evidence connecting him with the murder. Accordingly, he prays for bail.

Learned Advocate for the State opposes the prayer for bail and submits on the leading statement of the petitioner, the body of the deceased was recovered.

We have considered the materials on record. Statements of witnesses show petitioner had called the victim to a *haat*. Thereafter, victim went missing. On the leading statement of the petitioner, his dead body was recovered. Victim had suffered homicidal death. Trial is in progress. Under such circumstances and in view of 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.)

