

28.07.2023

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rejected

C.R.M. (DB) No. 2983 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kandi Police Station Case No. 28 of 2023 dated 23.01.2023 under Sections 302/120B of the Indian Penal Code.

And

In Re : Murshed Sk. petitioner

Mr. Pratip Kumar Chatterjee
... for the petitioner

Mr. Nguive Ahamed, learned APP
Ms. Trina Mitra
... for the State

Learned Counsel for the petitioner submits he is in custody for more than six months. It is also submitted that there is no direct evidence connecting him with the murder. He prays for bail.

Learned Counsel for the State opposes the prayer for bail and submits petitioner had illicit relationship with the wife of the deceased. He had motive to commit the crime. There were telephonic conversations with the co-accused, Firdous. Blood stained wearing apparels were also recovered from his possession.

We have considered the materials on record. There are clinching evidence implicating the petitioner in the crime. He had motive to commit the crime. There was continuous communication between the petitioner and one of the co-accused. Blood stained wearing apparels were also recovered from his possession. In view of the aforesaid facts 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.)