

11.08.2023.
16.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 3171 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chanditala P. S. Case No.57 of 2023 dated 23.01.2023 under Sections 302/201/120B/34 of the Indian Penal Code.

In the matter of : Rahul Samanta @ Raja.

... Petitioner.

Mr. Sumanta Chakraborty,
Mr. Anindya Halder.

...for the Petitioner.

Mr. Nguive Ahamed, Id. A.P.P.,
Ms. Trina Mitra.

...for the State.

1. Petitioner submits he is not the principal accused. There is no direct evidence connecting him with the crime. He prays for bail.
2. Learned Advocate for the State opposes the bail prayer. He submits petitioner had conspired with co-accused to commit the murder.
3. We have considered the materials on record. Statements of witnesses show petitioner was involved in the conspiracy to murder. Gold chain belonging to the deceased was recovered from the petitioner. Other incriminating articles have also been recovered on his leading statement.
4. In view of the aforesaid incriminating materials and gravity of offence, we are not inclined to grant bail to the petitioner at this stage.
5. Accordingly, the prayer for bail of the petitioner is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)

