

16.10.2023  
tkm/ct 28  
sl no. 66

**C.R.M. (DB) 4044 of 2023**

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Basirhat PS case no. 828 of 2022 dated 12.12.2022 under sections 448/302/201/120B IPC and sections 25/27 of the Arms Act

And

In Re : Bishnu Sarkar

...petitioner

Mr. Kallol Kr Basu

Md. J Ul Firdous

..... for the petitioner

Ms. Anasuya Sinha

Mr. Pinak Kr. Mitra

..... for the State

1. Petitioner submits he is a college student. His bail prayer may be considered in view of his young age.
2. Learned lawyer for the State opposes the bail prayer.
3. We have considered the materials on record. Petitioner and co-accused had murdered the victim. He has been implicated by the wife of the victim in her statement under section 164 Cr.P.C. From the joint possession of the petitioner and co-accused weapon of offence was recovered. Bail prayer of co-accused was turned down in June 2023.
4. Under such circumstances, we are not inclined to grant bail to the petitioner.
5. Accordingly, prayer for bail is rejected.

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**