

18.10.2023.
45.
Ct.No.28
As
(Rejected)

C.R.M. (DB) 4099 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Santipur P. S. Case No.880 of 2021 dated 23.10.2021 under Sections 302/34 of the Indian Penal Code.

In the matter of : **Sarajit Biswas @ Buro Biswas.**
... Petitioner.

Mr. Sagar Saha,
Mr. Subir Debnath,
Ms. Roma Roy.

...for the Petitioner.

Mr. Neguive Ahmed, Id. A.P.P.,
Ms. Ayantika Ray.

...for the State.

1. Petitioner is in custody for 590 days. He submits there is no progress in the matter since rejection of bail by this Court in July, 2022. He renews his bail prayer.

2. Learned Advocate for the State opposes the bail prayer.

3. We have considered the materials on record. Statements of witnesses recorded under Section 164 of the Code of Criminal Procedure show petitioner had surrounded the victim and co-accused Balaram Biswas struck him in the belly. Bail prayer of co-accused Balaram Biswas and Tarak Biswas had been turned down by this Court lastly in August, 2023. Date has been fixed for recording prosecution evidence.

4. Under such circumstances, we are not inclined to grant bail to the petitioner.

5. Accordingly, the prayer for bail of the petitioner is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)