

02.11.2023
Ct No.8
sl 53/tkm

CRM (DB) 4226 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Nakashipara Police Station Case No. 255 of 2020 dated 3.6.2020 under Sections 447/326/354/302/34 of the IPC.

And

In the matter of: **Prahlad Ghosh & Anr.**

... Petitioners.

Md. Sabir Ahmed
Mr. Sourav Mukherjee

... for the petitioners.

Md. Anwar Hossain

... for the State.

1. Learned counsel for the petitioners contends that the allegations against the petitioners do not justify the long period of incarceration of the petitioners. More particularly, it is submitted that there is nothing in the statements under sections 161/164 Cr.P.C to indict the petitioner no. 2.

2. However, we find from the materials on record that the present petitioners are on different footing than the co-accused persons who have been enlarged on bail. The allegations against both the petitioners are specific insofar as the statement under section 164 Cr.P.C is concerned. The prima facie involvement of the petitioners in the alleged offence, which is grievous in nature, being direct, we are not inclined to grant bail to the petitioners.

3. Accordingly, CRM (DB) 4226 of 2023 is dismissed.

(SABYASACHI BHATTACHARYYA, J.)

(PARTHA SARATHI CHATTERJEE, J.)