

01.12.2023
Sl. No.47
akd
[Rejected]

C. R. M. (DB) 4321 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 18.10.2023 in connection with Tehatta Police Station Case No.859 of 2022 dated 01.10.2022 under Sections 498A/302/34 of the Indian Penal Code. (G.R. Case No.473 of 2023)

And

In Re: ***Rubel Sk. & Anr.***

... .. Petitioners

Mr. Ashok Das
Mr. Amanul Islam
Mr. Sourav Mukherjee

... .. for the petitioners

Mr. Swapan Banerjee
Mrs. Purnima Ghosh

... .. for the State

1. It is submitted on behalf of the petitioners that co-accused has been enlarged on pre-arrest bail. Accordingly, they pray for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. Statements of the children of the victim and others stated that the petitioners had entered the house where the victim was murdered. On their leading statements incriminating articles were recovered. Petitioners do not stand on the same footing with co-accused viz. Selim Sk. from whom incriminating article was recovered. Under such circumstances and in view of gravity of the offence, we are not inclined to grant bail to the petitioners at this stage.
4. The application for bail is thus rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)

