

19.12.2023.

Item No. 116

ap
(Rejected)

C.R.M. (NDPS) 4510 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 28.11.2023 in connection with Nowda Police Station Case No. 349 of 2022 dated 09.12.2022 under Sections 302/120B/34 of the Indian Penal Code.

And

In the matter of: Sushanta Biswas. ...Petitioner

Mr. Kallol Mondal,
Mr. Krishan Ray,
Mr. Souvik Das,
Ms. Anamitra Banerjee. ...For the petitioner

Mr. Swapan Banerjee,
Ms. Sima Biswas.For the State

1. The petitioner contends that there is no direct evidence connecting him with the crime. Statements of witnesses were belatedly recorded. He prays for bail.

2. Learned Advocate for the State opposes the prayer for bail and contends that bail prayer of co-accused, namely, Baban Mondal was rejected in June, 2023.

3. We have considered the materials on record. Statement of witnesses shows the petitioner and co-accused persons were seen assaulting the victim and had dragged him to another place. Thereafter he was murdered.

4. In view of the aforesaid incriminating materials and as bail prayer of co-accused Baban Mondal was rejected in June, 2023, we are not inclined to grant bail to the petitioner at this stage.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)