

05.10.2020

BP/BR
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CRM 7439 of 2020
With
CRAN 1 of 2020

(Via Video Conference)

In re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Mothabari Police Station Case No. 185 of 2020 dated 15.05.2020 under Sections 302/120B/34 of the Indian Penal Code.

In the matter of : Dilip Mondal...petitioner

Mr. Mrityunjoy Chatterjee
Md. G.N. Imrohi
..for the petitioner.

Mr. Madhusudan Sur
Mr. Dipankar Paramanik
..for the State.

It is submitted by Mr. Mrityunjoy Chatterjee, learned advocate for the petitioner that the petitioner is not involved in the offence and he has been falsely implicated in the present case. There is no eye-witness in the present case also. Only the circumstantial evidence is available. Therefore, the petitioner should be enlarged on bail.

Mr. Madhusudan Sur, learned advocate for the

State opposes the prayer for bail and produced the case diary and draws our attention to several pages of case diary wherefrom it reveals that the petitioner is very much involved in this case. The petitioner's involvement in the present case cannot be ruled out. Mr. Sur also submits that the theory of last seen together is very much appropriate in the present case and as corroborated by the statement of the eye-witness.

Considering the submissions as advanced by the learned advocates for the parties and after perusing the case diary, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, the prayer for bail is rejected.

The application for bail being C.R.M. 7439 of 2020 and C.R.A.N. 1 of 2020 are disposed of.

(Samapti Chatterjee, J.)

(Aniruddha Roy, J.)