

07.01.2021
Item no.15
Ct.5
CHC
Rejected

C.R.M. No.98 of 2021

(Physical Hearing)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Kalyani Police Station Case No. 297 of 2020 dated 24.09.2020 under Sections 302/120B of the Indian Penal Code.

And

In the matter of:-

Koustav Dasgupta

... Petitioner

Ms. Joyita Roy

.. for the petitioner

Mr. Subham Bhakat

...for the de facto complainant

Mr. Arani Bhattacharyya

..for the State

This relates to prayer for bail.

Learned advocate for the petitioner Ms. Joyita Roy prays for bail taking the ground of long incarceration together with his false implication in this case.

Learned Additional Public Prosecutor, Mr. Arani Bhattacharyya raises strong objection against the prayer for bail referring the statement of witnesses recorded under Section 164

Cr.P.C. and the Post Mortem Report. The weapon with which death was caused has already been recovered during the course of investigation.

Having considered the materials already collected in the C.D. and the rival submissions of the parties and bearing in mind the direct involvement of the petitioner with reference to the alleged offence of having causing death of the deceased, we are not inclined to grant bail to the petitioner.

The prayer for bail of the petitioner stands refused.

C.D. be returned.

CRM 98 of 2021 stands **disposed of**.

All parties shall act in terms of copy of this order downloaded from the official website of this Court.

Urgent Xerox certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Subhasis Dasgupta, J.)

(Subrata Talukdar, J.)