

18.01.2021
Court No.28
Item No. 09
Krishnendu
Bail Rejected

CRM 154 of 2021
(Via video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure ;

And

In Re : **Sudam Biswas**

Petitioner

Mr. Debangan Bhattacharjee
Mr. Nimai Roy
Ms. Swarnali Saha

For the Petitioner

Mr. Neguive Ahmed, Id. A.P.P.
Ms. Amita Gaur

For the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Habra Police Station Case No. 202 of 2020 dated 03.05.2020 under section 302 of the Indian Penal Code.

The learned advocate appearing for the petitioner submits that the petitioner is in custody for 200 days and the investigation of the case has already been completed in filing the charge sheet against the petitioner and another. Additionally, the learned advocate submits that the complaint was lodged on 3rd May, 2020 and the petitioner was arrested on 1st July, 2020. As such, further detention of the petitioner, after submission of charge sheet, is unwarranted.

Mr. Ahmed, learned advocate appearing for the State opposes the prayer for bail and draws the attention of this Court to the statement of one of the witnesses as also the seizure list which reflects the recovery of the bloodstained wearing apparels as also a bloodstained weapon used in the crime of the offence. It is the further submission of the learned

advocate for the State that the bloodstain has been sent for forensic examination.

Having regard to the materials available in the case diary and the complicity of the present petitioner, we are not inclined to grant bail to the petitioner at this stage. Accordingly, the prayer for bail of the petitioner is rejected.

With the aforesaid observations, the application for bail, being CRM No. 154 of 2021, is dismissed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)