

10.08.2021
Item no.9.
Court No.32.
AB
(Rejected)

(Via Video Conference)

CRM No. 938 of 2021

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 22.01.2021 in connection with Tehatta Police Station Case No.18 of 2020 Dated 12.1.2020 under Sections 302/34 of the Indian Penal Code

And

In the matter of : Rakibul Mondal

.....Petitioner.

Mr. Sekhar Basu, Sr. Adv,
Mr. Asraf Mondalfor the Petitioner.

Mr. Ranabir Roychoudhury,
Mr. Rudradipta Nandyfor the State.

The petitioner is one of the accused persons. The charge is under Sections 302/34 of the Penal Code.

The prosecution case is that there was an affair between the petitioner and the victim's wife. The victim was killed pursuant to a consorted plan chalked out by the petitioner and the victim's wife and other persons.

Mr. Basu, learned Senior Counsel appearing for the petitioner submits that the petitioner has not been named in any of the statements. The co-accused, who has been declined bail by this Court, stands on a different footing and he was named by some of the witnesses in their statements.

We are told that charge sheet has been filed and August 26, 2021 has been fixed as the date for recording of evidence.

We have perused the material in the case diary including the statement of the daughter and the son of the victim. On an overall assessment of the material on record and given the nature and gravity of the charge, we are not inclined to allow the petitioner's prayer, at this stage.

The prayer for bail stands rejected.

C.R.M. No.938 of 2021 is accordingly dismissed.

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

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)