

23.03.2021

CRM 1056 of 2021

Court No. 28
Item No. 98
snandy

(REJECTED)

In Re: An application for **Bail** under Section **439** of the Code of Criminal Procedure filed on 25.01.2021 in connection with Krishnanagar Kotwali Police Station Case No. 694 of 2020 dated 18.09.2020 under Section 304/34 of the Indian Penal Code.

and

In the matter of: **Sadhan Mondal @ Ajan**

..... Petitioner

Mr. Prabir Majumdar, Advocate

.....for the Petitioner

Mr. Prasun Kumar Datta, Advocate

Mr. Santanu Deb Roy, Advocate

..... for the State

The petitioner has filed the instant application for bail in connection with Krishnanagar Kotwali Police Station Case No. 694 of 2020 dated 18.09.2020 under Section 304/34 of the Indian Penal Code.

The learned Advocate for the petitioner submits that the petitioner is in custody for 127 days and other persons who were named in the First Information Report and against whom chargesheet has been submitted, have already been released on bail by the learned Sessions Judge. He further submits that although chargesheet has been submitted but the prosecution is yet to supply the documents under Section 207 of the Code of Criminal Procedure. Additionally, the learned Advocate submits that on any stringent condition the petitioner may be released on bail.

Learned Advocate appearing for the State, opposes the prayer for bail and draws the attention of the Court to the post-mortem report as well as the statement of one of the witnesses recorded under section 161 of the Code of Criminal Procedure.

We have perused the materials-on-record which includes the

statement of the witnesses, the post-mortem report and having regard to the role of the petitioner in the alleged offence which is appearing from the statement of the witnesses, we are not inclined to release the petitioner on bail at this stage.

As such, the prayer for bail is **rejected**.

The application being **CRM 1056 of 2021** accordingly **dismissed**.

(Harish Tandon, J.)

(Tirthankar Ghosh, J.)