

23.03.2021

Item No.106

Ct.No.28

dc.

C.R.M. 1081 of 2021

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Chapra P.S. Case No. 378 of 2020 dated 08.10.2020 under Sections 302/120B/34 of the Indian Penal Code.

And

In Re : **Fika Tarafdar**

... Petitioner.

Mr. Prabir Majumder

... For the Petitioner.

Mr. Saibal Bapuli,
Mr. Arani Bhattacharyya

... For the State.

This is an application for bail in connection with Chapra P.S. Case No. 378 of 2020 dated 08.10.2020 under Sections 302/120B/34 of the Indian Penal Code at the behest of the petitioner.

The petitioner is in custody for about 163 days in connection with the aforementioned case. It is submitted by the learned advocate for the petitioner that the husband of the complainant had an illicit relation with the lady who in turn had developed the illicit relation with two gentlemen and therefore, the petitioner, though not named in the FIR, has been implicated in the instant case.

The learned advocate for the State relies upon the statement of the wife of the deceased and further submits that the offending weapon was recovered from the house of

the petitioner containing bloodstain. It is further submitted that the same has been sent for the examination and the role of the present petitioner to the alleged offence cannot be ruled out.

After hearing the respective submissions of the learned counsels and after perusal of the statement of the wife of the deceased recorded under Section 164 of the Code of Criminal Procedure and the fact that the offending weapon was recovered from the house of the petitioner, we do not think that it is a fit case where the petitioner should be released on bail at this stage. As such, the petitioner's prayer for bail is **rejected**.

However, the prosecution is directed to expedite the matter and shall see that FSL report is obtained within a month from date.

The application for bail, being CRM 1081 of 2021, is, thus, disposed of.

(Harish Tandon, J.)

(Tirthankar Ghosh, J.)