

31.05.2021
Sl. No.12

Court No.30
BM

CRM 1178 of 2021

(Via Video Conference)

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Shibpur Police Station Case No.161 of 2020 dated 05.06.2020 under Sections 302/201 of the Indian Penal Code.

And

In the matter of : Sukanta Kumar Sahoo

... Petitioner

Mr. Milon Mukherjee, Sr. Adv.

... for the petitioner

Mr. Ranabir Roy Chowdhury ... for the State

The petitioner for second time has renewed his prayer for release on bail in connection with Shibpur Police Station case No.161 of 2020 dated 05.06.2020 under Section 302/201 of the Indian Penal Code for investigation.

Charge sheet has been submitted and the date for consideration of charge has been fixed on 2nd March, 2021 but charge has not yet been framed. It is submitted that father of the complainant on 03.06.2020 left his house with the accused petitioner for Shalimar Siding Gate No.1 and for that a missing diary was lodged. It is pointed out that on 5.6.2020 at 12:08 hours, complainant on search found the dead body of his father recovered from the drain with crushed head condition. The petitioner was arrested on 5.6.2020 and since then he is in custody.

We have heard learned counsel for the petitioner and the State counsel.

Having regard to the statements appearing at pages 34 and 35 of the case diary and considering the seizure list at page 11 and 27 and the circumstances pertaining to theory of last seen together, and also considering the gravity of the offence, the prayer for bail is refused.

Since, the trial is likely to commence on framing of charge, the learned Session Judge would take all endeavour to expedite the trial preferably within a period of one year bearing in mind the mandate of Section 309 of the Cr.P.C.

CRM 1178 of 2021 is, thus, disposed of.

(Aniruddha Roy, J.)

(Shivakant Prasad , J.)