

July 01, 2021

ARDR /kole
(Rjeected)

(Via Video Conference)

CRM 3071 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Kotwali** Police Station case no. **709** of **2020** dated **29/09/2020** under Sections **498(A)/302/120B** of the Indian Penal Code.

In Re : **Animesh Mandal @ Moni**

... Petitioner

Mr. Amanul Islam,
Mr. Sourav Mukherjee,

.....for the petitioner

Mr. Saswata Gopal Mukherjee, Ld. PP.,
Mr. Debabrata Chatterjee,
Mrs. Manasi Roy,

....for the State.

Advocate on record of the petitioner undertakes to affirm and stamp the petition/application as per the Rules within four weeks from date. Subject to such undertaking the application is taken up for hearing.

The petitioner has filed the instant application for bail in connection with Kotwali Police Station case no. 709 of 2020 dated 29/09/2020 under Sections 498(A)/302/120B of the Indian Penal Code.

The petitioner submits that he is in custody for more than 270 days in connection with the aforementioned case and further submits that charge sheet has already been submitted and therefore, no further custody of the petitioner is required.

Learned Advocate for the State opposes the prayer for bail. She submits that there is a direct allegation made against

the petitioner which is corroborated by the statements of the minor son both recorded under Sections 161 and 164 of the Code of Criminal Procedure. She further submits that though the date has fixed for framing of charges, but she is not aware whether the charge has already been framed nor not.

We had an occasion to peruse the statements of the son of the accused recorded under Section 161 and 164 of the Code of Criminal Procedure and also cause of death revealed in the postmortem report. We do not think the petitioner is entitled to bail at this stage.

The prayer for bail is rejected.

The application being CRM 3071 of 2021 accordingly dismissed.

(Hrish Tandon, J.)

(Subhasis Dasgupta,J.)