

2.06.2021
S.D.
21.

CRM 3168 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure.

And

In the matter of: **Senaul @ Sanaul Sk**

....Petitioner.

Mr. Kazi M Rahaman

...for the Petitioner.

Mr. Sudip Ghosh

Mr. Apurba Kumar Dutta

Mr. Bitasak Banerjee

....for the State.

The petitioner incarcerated in jail for about 154 days is seeking release on bail in connection with Kaliachak Police Station Case No. 591 of 2011 dated 12.11.2011 corresponding to G.R. No. 4133 of 2011 under Section 302 and 34 of the IPC.

Learned counsel for the petitioner submits that there was a labour dispute regarding payment which was settled and that there is no relation of the petitioner with the offence allegedly committed as the petitioner was in job in Delhi and when he returned from Delhi on 18.12.2020, he was arrested on 20.12.2020. Since then he is in custody.

Learned counsel for the State invites our attention to various pages of the Case Diary to reveal the gravity of the offence alleged by prosecution and the nexus of the petitioner with the offence which is well evident from the statement of the independent witnesses at

pages 11 and 13 and the statement of witness under Section 164 at page 35. Our attention is also invited to postmortem report, which reveals homicidal death of the victim deceased, anti-mortem in nature.

Having regard to the facts stated above and bearing in mind the gravity of the offence, prayer for bail is considered but rejected.

The case is at the trial stage. Therefore, concerned Trial Sessions Judge will take step to expedite the trial as expeditiously as possible.

Thus, application being CRM 3168 of 2021 is dismissed.

(Aniruddha Roy, J.)

(Shivakant Prasad, J.)