

09.12.2021
Sl. No.93
akd
[Rejected]

C. R. M. 5708 of 2021 [via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 25.08.2021 in connection with Panchasayar Police Station Case No. 20 of 2020 dated 17.03.2020 under Sections 120B/302/324/34/212 of the Indian Penal Code.

And

In Re: ***Buddhadeb Das @ Raja***

... .. Petitioner

Mr. Sabyasachi Banerjee
Mr. Raja Adhikary
Mr. Mrinal Das
Mr. Abhra Jana

... .. for the petitioner

Mr. Neguive Ahmed .. Ld. Addl. Public Prosecutor
Ms. Amita Gaur

... .. for the State

Petitioner renews his prayer for bail. It is submitted on behalf of the petitioner that he is in custody for more than 573 days. It is further submitted that the petitioner has been falsely implicated in the instant case. There is no direct evidence connecting him with the murder.

Learned Additional Public Prosecutor opposes the prayer for bail and submits that the petitioner was one of the conspirators to the murder.

From the materials on record we find the petitioner was known to the other accused persons and all of them jointly carried on construction business. He had motive to commit the murder. Call detail records on the date of the incident and thereafter show that there was continuous telephonic conversations between the other accused persons and the petitioner prima facie establishing his role in the conspiracy to murder the victim.

In view of the aforesaid facts and as trial is in progress, we do not consider it prudent to enlarge the petitioner on bail at this stage.

The application for bail is thus **rejected**.

Trial court is directed to expedite the trial and conclude the same at an early date.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)