

01.10.2021
Serial no.16
Aloke
Ct. No.29

(Through Video Conference)

CRM 6462 of 2021

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 24.09.2021 in connection with Faridpur Police Station Case No. 87 of 2020 dated 09.11.2020 under Section 302 of the Indian Penal Code and charge-sheet submitted under Sections 302/201/120(B) of the Indian Penal Code.

And

In the matter of : Arup Show

... ..Petitioner

Mr. Soumyajit Mahapatra, Advocate
Mr. Kunal Ganguly, Advocate

... ..For the State

Mr. Neguivev Ahmed, Id. APP
Ms. Amita Gaur, Advocate

... .. For the State

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for 319 days. The police submitted charge-sheet and, therefore, continued detention of the petitioner is not required. He draws the attention of the Court to the statement recorded under Section 164 of the Code of Criminal Procedure of the wife of the alleged contract killer. He submits that it appears from such statements that the mother of the deceased approached the contract killer and paid money for killing her son.

Learned Advocate appearing for the State opposes the prayer for bail. She draws the attention of the Court to the order of the Coordinate Bench dated July 28, 2021 granting bail to the mother of the victim. She submits that the petitioner and the mother of the victim stands on a different footing. She draws the attention of the Court to the statements recorded under Section 164 of the Code of Criminal Procedure. She submits that there are call details recording of the telephonic calls between the petitioner

and the contract killer. She submits that the police seized a pass book which contains that a sum was paid from the joint account held by the mother of the petitioner and the petitioner to the contract killer.

Considering the materials in the case diary and considering the fact that the petitioner cannot be placed in the same footing as that of his mother, and considering the fact that money went out from the joint account of the petitioner to the contract killer, we are not inclined to grant bail to the petitioner.

CRM 6462 of 2021 is dismissed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)