

23.11.2021
Court No.32
rpan / 10

CRM 7456 of 2021

In Re:- An application for bail under section 439 of the Code of Criminal Procedure ;

And

In Re : **Anchur Seikh** *alias* **Ansur Seikh** *alias* **Ansar**

- Petitioner.

Mr. Angshuman Chakraborty,
Mr. Shashanka Shekhar Saha
... for the Petitioner.

Mr. Ranabir Roy Chowdhury,
Mr. Sandip Chakraborty
... for the State.

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Nakashipara Police Station Case No. 173 of 2021 dated 16.04.2021 under Sections 363/365/302 of the Indian Penal Code.

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. The entire case is based upon circumstantial evidence and no injury was found in the body of the deceased. In the said conspectus, further detention of the petitioner, who is in custody for about 222 days, is not warranted, more so when, upon completion of investigation charge sheet has been submitted.

The learned advocate appearing for the State opposes the petitioner's prayer and submits that the deceased was last seen with the petitioner and there are materials on record including the statement of the witnesses recorded under Section 164 of the Code

of Criminal Procedure which clearly reveal the direct involvement of the petitioner in the alleged offence.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the post-mortem report and the statements of the witnesses recorded under section 164 of the Code of Criminal Procedure, we are not inclined to exercise any discretion in favour of the petitioner and his prayer for bail is refused at this stage.

The application for bail, being CRM No.7456 of 2021 is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)