

20.12.2021.
160.
as
(Rejected)

C.R.M. 8377 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chanditala P.S. Case No.142 of 2020 under Section 302 of the Indian Penal Code dated 19.06.2020.

In the matter of : Dipankar Biswas.

... Petitioner.

Mr. Ashis Kr. Chowdhury,
Mr. Rajib Ghosh.

...for the Petitioner.

Mr. Saibal Bapuli, Id. A.P.P.,
Mr. Bibaswan Bhattacharyya.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

It is submitted on behalf of the petitioner that he is in custody for about 570 days. It is further submitted that the instant case has been registered at the behest of a stranger. He is innocent.

Learned Advocate appearing for the State opposes the prayer for bail and submits that the dead body of the victim was recovered from the house of the petitioner. He was present at the spot. Post mortem report discloses a case of homicidal death.

We have considered the materials on record. Clinching circumstances viz., recovery of the dead body of the victim from the house of the petitioner, presence of the petitioner at the place of occurrence and the cause of death being homicidal prima facie discloses his involvement in the murder.

Under such circumstance and in view of the gravity of the offence, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

(Bivas Pattanayak,J.)

(Joymalya Bagchi, J.)