

23.12.2021

Court No.29
Item No.65
(Rejected)

Saswata

CRM 8673 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Bamangola Police Station Case No. 135 of 2021 dated 22.08.2021 under Sections 376/506 of the Indian Penal Code;

And

In the matter of : **Tapen Sarkar**

...Petitioner

Ms. Minoti Gomes

...For the Petitioner

Mr. Badabrata Chatterjee

Ms. Debjani Sahu

... for the State

The petitioner seeks bail.

Learned lawyer appearing for the petitioner submits that the petitioner is in custody for 116 days and that the police filed charge sheet. He submits that further detention of the petitioner is not required.

Learned lawyer for the State draws attention of the Court to the postmortem report and the statement recorded under Section 164 of the victim along with the medical report.

Considering the statement recorded under Section 164 of the Code of Criminal Procedure and the post mortem report which corroborates such statement and considering the gravity of the offence and the involvement of the petitioner, therein, we are unable to grant bail to the petitioner.

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

CRM 8673 of 2021 is disposed of, accordingly.

(Debangsu Basak, J.)

(Bibahas Ranjan De, J.)

