

04.01.2021

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Sws M
Ct. No.05

Rejected

CRM 10738 of 2020

(Via Video Conference)

In Re : An application for bail under Section 439 of the Code of Criminal Procedure in connection Chapra Police Station Case No. 378 of 2020 dated 08.10.2020 under Sections 302/12B/34 of the Indian Penal Code.

And

In the matter of : **Paresh Halder & Anr.**

..... Petitioners

Mr. Sumanta Das

.... for the Petitioners

Mr. Madhusudan Sur
Mr. Dipankar Paramanick

...for the State.

Mr. Das, learned Counsel appears in support of the application and prays for bail. It is submitted that the petitioner No. 1 is the husband of the Petitioner No. 2 and, both the petitioner Nos. 1 and 2 are arraigned in the alleged death of the victim. It is submitted that there is no eyeball evidence to connect the petitioner Nos. 1 and 2 to the alleged death. It is also submitted that the petitioners are now in custody for around 89 days.

Mr. Sur, learned Additional Public Prosecutor (*APP*), submits from the materials placed before this Court that the piece of apparel incriminating the petitioners, particularly the petitioner No. 2, has been seized from the place of occurrence. The statements of both the petitioner Nos. 1 and 2 as recorded by the Investigating Officer are also

relied upon by the learned *APP*. It is also submitted that the third accomplice of the petitioners is absconding and the case is under investigation.

Having heard learned Counsel for the parties and the materials placed, as well as considering the gravity of the alleged charges and the extent of complicity of the petitioners as alleged, this Court is persuaded to refuse the relief of bail to the petitioners.

Accordingly the prayer for bail stands rejected.

CRM 10738 of 2020 stands thus **disposed of**.

All parties shall act in terms of copy of this order downloaded from the official website of this Court.

Urgent Xerox certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Subhasis Dasgupta, J.)

(Subrata Talukdar, J.)