

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction**

**CRM 247 of 2021
(Via Video Conference)**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Maynaguri Police Station Case No. 298 of 2020 dated 18.08.2020 under Section 302 Indian Penal Code Corresponding with G.R. No. 3545 of 2020.

And

In the matter of: Satyen Roy @ Chandia

.... Petitioner

Mr. Jaydeep Kanta Bhowmik

... For the Petitioner

Mr. Kallol Acharya,
Mr. Tapan Bhattacharjee

... For the State

Learned counsel for the petitioner submits that the alleged offence did not constitute murder but at best would fall within the scope of Section 299 of the Indian Penal Code. It is also contended that the petitioner is already in custody for seven months.

Learned advocate appearing for the State opposes the prayer for bail.

Having regard to the statement recorded under Section 161 of the mother of the victim girl who appears to be *prima facie* an eye-witness and also the gravity of the offence, we are of the opinion that the petitioner should not be granted bail at this stage.

Therefore the bail application, being CRM 247 of 2021, is rejected.

(Sabyasachi Bhattacharyya, J.)

(Kausik Chanda, J.)