

**Calcutta High Court
In The Circuit Bench at Jalpaiguri**

CRM 387 of 2021

In Re : An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed on 18.03.2021 in connection with New Jalpaiguri Police Station Case No.1000 of 2019 dated 08.11.2019 under Sections 302/201/34 of the Indian Penal Code, corresponding to G.R. Case No.4662 of 2019.

And

In Re : Md. Faruk

... petitioner.

Mr. Sandeep Dutta

... for the petitioner.

Mr. Kallol Acharjee,
Mr. Tapan Bhattacharjee

... for the State.

Learned counsel for the petitioner submits that there is sufficient scope of doubt regarding the commission of the offence by the petitioner, of which he is implicated.

Learned counsel appearing for the State submits that the allegations against the petitioner are that, upon previously having threatened the victim, the petitioner had been arrested and subsequently released on bail. After being enlarged, the petitioner regularly threatened the victim girl and subsequently the body of the deceased victim was recovered, with certain belongings of the petitioner on and around her body. As such, there is sufficient scope of presumption of commission of the crime by the petitioner.

In view of the nature and gravity of the allegations, we are of the opinion that the petitioner is not entitled to bail at this stage.

Accordingly, CRM 387 of 2021 is dismissed.

(Sabyasachi Bhattacharyya, J.)

(Kausik Chanda, J.)