

11.04.2022

Sl. 118
Court No.29
suvayan
(rejected)

C.R.M. (DB) 159 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 17.01.2022 in connection with **Chanchal** P.S. case No. **572 of 2021** dated **14/07/2021** under Sections **498A/302/201** of the Indian Penal Code, 1860.

And

In the matter of: Rejjak Ali @ Bhekcha

....petitioner.

Mr. Kallol Mondal
Mr. Krishan Ray
Mr. Souvik Das
Mr. Anamitra Banerjee

...for the petitioner.

Mr. S. G. Mukherjee, Ld. PP
Ms. Faria Hossain
Ms. Sonali Das

...for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is languishing in jail for 250 days. The police filed charge-sheet and, therefore, further detention of the petitioner is not required. He draws the attention of the Court to the fact that six persons recorded the statement under Section 164 of the Criminal Procedure Code. None of the statements recorded under Section 164 of the Criminal Procedure Code implicates the petitioner.

Learned Public Prosecutor draws the attention of the Court to the statements recorded under Section 161 as well as Section 164 of the Criminal Procedure Code. He submits that the petitioner is involved in the incident of murder.

Six statements recorded under Section 164 of the Criminal Procedure Code names the petitioner.

Whether or not, the evidence of the witnesses recording their statements under Section 164 of the Criminal Procedure Code is

here say or not decided at the time of trial.

That apart, there are statements recorded under Section 161 of the Criminal Procedure Code of other persons who claims that the husband of the deceased confided in them that the petitioner herein was involved in the murder of his wife.

The nature of the offence and the materials in the case diary suggest involvement of more than one person.

There are materials in the case diary implicating the petitioner.

At this stage, therefore, we are unable to grant bail to the petitioner.

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

C.R.M. (DB) 159 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)