

25.03.2022.
328.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 216 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ranaghat P. S. Case No.387 of 2021 dated 14.10.2021 under Section 302 of the Indian Penal Code.

In the matter of : Biswanath Shil @ Biswanath Sheel.
... Petitioner.

Mr. Sagar Saha,
Mr. Subir Debnath,
Ms. Roma Roy.
...for the Petitioner.

Ms. Zareen N. Khan,
Md. Kutub Uddin.
...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for 163 days.

Learned Counsel appearing for the State submits that the incident occurred at his residence in the course of a sudden altercation. Ingredients of the offence of murder are not disclosed in the instant case.

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

We have considered the materials on record. Statements of witnesses show that the victim had intervened in the altercation between the petitioner and his wife. Being enraged, petitioner struck the unarmed victim resulting in his death.

In view of the gravity of the offence and the prima facie involvement of the petitioner in the alleged crime, we are not inclined to grant bail to the petitioner at this stage.

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

(Bivas Pattanayak,J.)

(Joymalya Bagchi, J.)