

04.02.2022

Sl. 41

Court No.29

suvayan

(Rejected)

C.R.M. (DB) 280 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 28.01.2022 in connection with **Harwood Point Costal** P.S. Case No. **372 of 2021** dated **02/11/2021** under Section **302** of the Indian Penal Code.

And

In the matter of: Saurav Das @ Rajdeep Das

....petitioner.

Mr. Sabir Ahmed

Mr. Mujibar Ali Naskar

Mr. A. Saha

...for the petitioner.

Mr. Sudip Ghosh

Mr. Bitasok Banerjee

...for the State.

Petitioner renews the prayer for bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for 92 days. He draws attention of the Court to the inquest report and submits that the family members of the deceased signed the inquest report. He contends that the death is due to natural causes.

Learned Advocate appearing for the State draws the attention of the Court to the postmortem report and the inquest report. He submits that the prayer for bail was rejected on December 20, 2021.

The post-mortem report state that the death was due to effect of head injuries as noted in such report, anti-mortem in nature. In the column for injuries, several injuries on the head of the deceased are noted. The post-mortem report does not reveal that the death is due to natural causes.

In such circumstances, given the materials in the case diary implicating the petitioner and given the fact that there is hardly any change in circumstances subsequent to the earlier order of rejection, we are unable to grant bail to the petitioner.

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

C.R.M. (DB) 280 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)