

07.02.2022

Sl. 53

Court No.29

suvayan

(rejected)

C.R.M. (DB) 323 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 31.01.2022 in connection with **Kalna** P.S. Case No. **695 of 2021** dated **09/09/2021** under Sections **498A/302/201/34** of the Indian Penal Code.

And

In the matter of: Sahidul Sk.

....petitioner.

Mr. Dhananjay Banerjee

...for the petitioner.

Mr. S. G. Mukherji
Mr. Partha Pratim Das
Mrs. Manasi Roy

...for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated. There was no eye witness to the incident. There were five children of the petitioner available at the spot whose statements were not recorded by the police. The case is yet to be committed. The petitioner is in custody for 140 days.

Learned Advocate appearing for the State draws the attention of the Court to the post mortem report and the statements recorded under Section 164 of the Criminal Procedure Code.

Considering the post mortem report and the gravity of the offence and complicity of the petitioner therein, we are unable to grant bail to the petitioner.

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

However, we request the jurisdictional Court to take expeditious steps for the purpose of concluding the case of trial. It is expected that the order in this regard will be passed within the month from the date of communication of this order.

C.R.M. (DB) 323 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)