

C.R.M. (DB) 391 of 2022

23.03.2022
Sl. 77
Court No.29
sourav
(Rejected)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **07.02.2022** in connection with **Chanchal** P.S. Case No. **732** of **2021** dated **03.09.2021** under Sections **302/326/307** of the Indian Penal Code read with Sections **4/6** of the POCSO Act and Sections **4/5/6** of the Immroal Trafficking (Prevention) Act.

And

In the matter of: **Kamal Hussain @ Kamaluddin**

....petitioner.

Mr. Debayan Ghosh

...for the petitioner.

Mr. Saibal Bapuli, Ld. APP

Mr. Bibaswan Bhattacharya

...for the State.

Petitioner prays for bail.

Learned advocate appearing for the petitioner highlights the period of detention of the petitioner. He contends that the case is yet to be committed.

Learned advocate appearing for the State submits that the case was committed on January 31, 2022. He refers to the statement recorded under Section 164 of the Criminal Procedure Code to establish the complicity of the petitioner in the incident.

Allegedly, the wife of the petitioner was having an illicit relationship with the victim. The petitioner apparently assaulted the victim whereupon the victim died. There are statements under Section 164 of the Criminal Procedure Code of two persons who claim that the victim prior to his death informed them that the petitioner was the assailant.

Considering the gravity of the offence and the involvement of the petitioner therein, we are unable to grant bail to the petitioner.

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

C.R.M. (DB) 391 of 2022 is, thus, dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

