

04.03.2022

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Ct. No. 29
KAUSHIK
REJECTED

C.R.M. (DB) 583 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Raiganj** Police Station Case No. **104** of **2021** dated 17.02.2021 under Section 302 of the Indian Penal Code, 1860.

And

In Re : Sanjoy Barman.

..... petitioner

Mr. Sandip Chakraborty
Mr. Kaustav Das

....for the petitioner

Mr. Swapan Banerjee
Mr. Anindya Sundar Chatterjee

....for the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that, the petitioner is in custody in excess of one year. The police filed charge-sheet. The petitioner is sought to be proceeded against purely on circumstantial evidence. There is no eye witness implicating the petitioner. The police did not conduct any forensic test so as to implicate the petitioner in the incident.

Learned advocate appearing for the State submits that, the victim was brutally murdered. The petitioner is the neighbour of the victim. The hammer which was used as the murder weapon was recovered on the leading statement made by the petitioner. The police used sniffer dog, who initially

identified the petitioner. The next date before the Trial Court is March 14, 2022 for the purpose of recording evidence.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the fact that the trial already commenced, we are unable to grant bail to the petitioner at this crucial stage.

In such circumstances, prayer for bail of the petitioner is rejected and the application being CRM (DB) 583 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)