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(AD)

29.03.2022

Court No.29

(Rejected)

C.R.M. (DB) 638 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with S.C. No.172 of 2021 arising out of **Hemnagar Coastal** P.S. Case No.**03 of 2021** dated **06/01/2021** under Sections **302/201/120B** of the Indian Penal Code.

And

In the matter of: Naba Kumar Mondal

....petitioner.

Mr. Kallol Kumar Basu
Md. Jannat Ul Firdous
Ms. Tithi Majumdar

...for the petitioner.

Mr. Neguive Ahmed, Ld. APP
Ms. Trina Mitra

... for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for 433 days. The police filed charge sheet, and, therefore, further detention of the petitioner is not required. He submits that there is no incriminating material against the petitioner. There is no eye-witness of the petitioner being involved in the incident.

Learned Additional Public Prosecutor submits that the victim was found without any dress on her. A mobile phone was recovered from the near about the body of the victim wherefrom, on examination of the call details recording, it transpired that the petitioner was the person who last called the victim. The wearing apparel of the victim was recovered on the leading statement made by the petitioner.

Considering the gravity of the offence and the

involvement of the petitioner therein as *prima facie* transpiring from the materials in the case diary, we are unable to grant bail to the petitioner.

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

C.R.M. (DB) 638 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)