

09.03.2022
Sl. 47
Court No.29
sourav
(Rejected)

C.R.M. (DB) 660 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **04.03.2022** in connection with **Monteswar** P.S. Case No. **403** of **2021** dated **19.09.2021** under Section **302** of the Indian Penal Code.
And

In the matter of: **Mostafa Khan @ Dolan**

....petitioner.

Mr. Kallol Mondal
Mr. Krishan Ray
Mr. Saibal Dasgupta

...for the petitioner.

Mr. Sudip Ghosh
Mr. Apurba Kumar Datta

...for the State.

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 169 days. The police filed charge-sheet and, therefore, further detention of the petitioner is not required. The incident was not premeditated by the petitioner.

Learned advocate appearing for the State submits that the petitioner dealt the blows to the victim by fist whereupon, the victim succumbed to the injuries. He submits that there are several eyewitnesses to the incident. He refers to the Post Mortem Report.

Considering the gravity of the offence and the involvement of the petitioner therein as transpiring from the material 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) 660 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

