

14.03.2022

55

Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M. (DB) 694 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Nakashipara** Police Station Case No. **173** of **2021** dated 16.04.2021 under Sections 302/363/365 of the Indian Penal Code, 1860 (Charge-sheet submitted under Sections 363/365/364/302 read with Section 120B of the Indian Penal Code, 1860).

And

In Re : Anchur Sk @ Ansur Sk.

..... petitioner

Dr. Jyotirmoy Adhikary

....for the petitioner

Ms. Trina Mitra

....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 and, therefore, further detention of the petitioner is not required.

Learned advocate appearing for the State submits that, the petitioner is the principal accused. She refers to the statement recorded under Section 164 of the Code of Criminal Procedure (Cr.P.C.) of the mother of the victim, where she states that the petitioner made an indecent proposal to her and upon refusal, her son was murdered by the petitioner. She also refers to the statement recorded under Section 161 of the Cr.P.C. implicating the petitioner.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the 164 Cr.P.C. statement of the mother of the victim and considering the 161 Cr.P.C. statement of the eye witness, we are unable to grant bail to the petitioner.

In such circumstances, prayer for bail of the petitioner is rejected and the application being CRM (DB) 694 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)