

21.03.2022
Serial no.56
[Dd]
(Bail **Rejected**)

CRM (DB) 759 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Habra** Police Station Case No. **301** of **2020** dated **02.07.2020** under Sections **341/354/326/307/302** of the Indian Penal Code and G.R. No. **1444 of 2020**.

-And-

In the matter of : Biswajit Mali @ Bisso @ Biswa
... ...Petitioner

Mr. Sabir Ahmed,
Md. Kutubuddin,
Mr. Mujibar Ali Laskar,
Ms. Doyel Dey,
Mr. Hillol Saha Poddar,
Mr. Subham Saha, Advocates
... ... For the Petitioner

Mr. Saswata Gopal Mukherji, Id. PP
Mr. Partha Pratim Das,
Ms. Manasi Roy, Advocates
... ...For the State

Petitioner renews the prayer for bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody in excess of 1 year and 8 months. The police filed charge sheet and, therefore, further detention of the petitioner is not required. He submits that although the death was due to burn, the victim never shouted to draw the attention of the neighbours.

Learned advocate appearing for the State draws the attention of the Court to the dying declaration and to the contents of the earlier order of rejection dated March 1, 2021.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the contents of the dying declaration and considering the fact that there is hardly any materials change in circumstances subsequent to the earlier order of rejection, we are not inclined to grant bail to the petitioner.

Prayer for bail of the petitioner is **rejected**.

CRM (DB) 759 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)