

22.03.2022

Sl. 69

Court No.29
suvayan
(rejected)

C.R.M. (DB) 787 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 16.03.2022 in connection with **Pathar Pratima** P.S. case No. **299/2021** dated **15/11/2021** under Sections **302/120B/34** of the Indian Penal Code, 1860.

And

In the matter of: Nitai Bhunia

....petitioner.

Ms. Subhasree Patel

Mr. Soham Banerjee

Ms. Saini Das

...for the petitioner.

Mr. Sudip Ghosh

Mr. Apurba Kr. Datta

...for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated. The police are proceeding against the petitioner on the basis of the statement of the principal accused made while in custody. The victim died out of head injury. The offending weapon was recovered at the behest of the wife of the principal accused.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary including the postmortem report. He submits that utensils mixed with poison were seized from this spot, forensic report are awaited.

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) 787 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)