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(AD)

07.04.2022

Court No.29

(Rejected)

C.R.M. (DB) 912 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Salanpur** P.S. Case No.**262 of 2021** dated **25.10.2021** corresponding to G.R. No.3192 of 2021 under Section **302** of the Indian Penal Code.

And

In the matter of: Lalbihari Ray

....petitioner.

Mr. Apurba Kumar Datta

...for the petitioner.

Mr. Swapan Banerjee

Mr. Suman De

... for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for 142 days. The police submitted charge sheet and, therefore, further detention of the petitioner is not required. He submits that there is hardly any material against the petitioner. The petitioner is sought to be proceeded against on the claim that the petitioner was last seen with the victim.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary including the post-mortem report of the victim.

Apparently, the police case is that the victim died due to a truck hitting the petitioner. The petitioner and the victim are the drivers of truck. Apparently, they were driving the same truck. They were last seen together as appearing from the materials in the case diary.

In such circumstances, considering the gravity of the offence and the involvement of the petitioner therein as

transpiring from the materials in the case diary, we are unable to enlarge the petitioner on bail.

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

C.R.M. (DB) 912 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)