

CRM (DB) 1185 of 2022

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Banshihari P.S. Case No. 223 of 2021 dated 20.11.2021 under Sections 493/376/307/34 of the Indian Penal Code and adding Section 328/302 of the Indian Penal Code.

-And-

In the matter of : Subrata Das ...Petitioner

Mr. Kallol Mondal, Advocate

Mr. Tanmoy Biswas, Advocate

... ... For the Petitioner

Mr. Ranabir Ray Chowdhury, Advocate

Mr. Mainak Gupta, Advocate

... ... For the State

Petitioner prays for bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for 160 days. There is no material implicating the petitioner.

Learned Advocate appearing for the State draws the attention to the materials in the case diary. There is a statement of the daughter of the victim claiming that her mother told her that she was poisoned by the petitioner. There is a statement of the doctor also in the case diary.

The doctor visited the victim on November 24, 2021 much after the admission of the victim. Apparently, the victim was referred to the doctor's department from the medical ward on November 22, 2021.

Considering the materials in the case diary implicating the petitioner in the incident, we are unable to grant bail to the petitioner.

CRM (DB) 1185 of 2022 is rejected.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)