

18.05.2022

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Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M. (DB) 1282 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Chandrakona** Police Station Case No. **10** of **2022** dated 17.01.2022 under Section 302 of the Indian Penal Code.

And

In Re : Goutam Shee

..... petitioner

Mr. Sabir Ahmed
Mr. Shraman Sarkar
Mr. Sougata Biswas

....for the petitioner

Mr. Madhusudan Sur
Mr. Dipankar Pramanick

....for the State

Petitioner prays for bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated. The police case is based on circumstantial evidence.

Learned advocate appearing for the State draws the attention of the Court to the statement of the driver of the vehicle who saw the victim and the petitioner together.

The case of death occurred at the residence of the victim. The petitioner and the victim was last seen together at the place of occurrence and the driver recorded his statement under Section 161 of the Code of Criminal Procedure (Cr.P.C.). The husband of the victim cannot be said to be at the locale, in view of the 161 Cr.P.C. statement of the husband, where he claims

that he was on train returning to his residence when he was informed about the death of his wife,

Considering the materials in the case diary implicating the petitioner, we are unable to enlarge the petitioner on bail.

In such circumstances, prayer for bail of the petitioner is rejected and the application being CRM (DB) 1282 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)