

18.07.2022

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rejected

C.R.M.(DB) No. 2355 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kulti Police Station Case No. 38 of 2022 dated 19.01.2022 under Sections 302/120B of the Indian Penal Code and Sections 25/27 of the Arms Act.

In Re : Vicky Nonia petitioner

Mr. Apurba Kumar Datta
... for the petitioner

Mr. Madhu Sudan Sur, learned APP
Mr. Manoranjan Mahata
... for the State

Learned Counsel appearing for the petitioner submits that he is in custody for 160 days. It is also submitted that there is no direct evidence connecting the petitioner with the murder.

Learned Counsel appearing for the State opposes the prayer for bail. He submits that the petitioner is one of the conspirators who had conspired to murder the husband of Mangali Mejhan, a co-conspirator. Call detail records show telephonic conversations between the petitioner, Mangali Mejhan as well as Sandip Nunia who conducted the sharp shooter.

We have considered the materials on record. Statements of the witnesses show that the petitioner was known to the co-conspirator, Mangali Mejhan. They entered into a conspiracy to murder husband of Mangali Mejhan. Call detail records show

frequent telephonic conversations between them. Petitioner utilised co-conspirator, Sandip Nunia who hired sharp shooter to murder the victim.

Aforesaid materials establish clear nexus/chain between the petitioner and other conspirators to murder the victim. In view of the aforesaid incriminating materials and gravity of the offence, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)