

86
03.01.2022
(suvayan)
Court No.29

(Rejected)

C.R.M. 7159 of 2021
(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 28/10/2021 in connection with Bidhannagar East Police Station Case No.103 of 2020 dated 10.12.2020 under Sections **364/34/302/201/120B** of the Indian Penal Code.

And

In the matter of: Vaidehi Mahensaria @ Muskaan

....petitioner.

Mr. Sandipan Ganguly
Mr. Arpan Bhattacharjee
Mr. Pawan Kr. Gupta
Mr. Anurag Bagaria

...for the petitioner.

Mr. Bivas Chatterjee

... for the State.

Petitioner seeks bail.

Learned Advocate for the petitioner submits that the petitioner was not present at the locale at the time of the incident. The petitioner was at the maternal grandfather's residence from where she was arrested. Petitioner is student of Christ University. The petitioner was falsely implicated. There was no eyewitness implicating the petitioner in the incident. The petitioner is in custody for 360 days. The police submitted charge-sheet and the charges were framed. There is no need for further detention of the petitioner.

Learned Advocate appearing for the State submits that the police seized the mobile phone used by the petitioner and that the tower location of the mobile phone of the petitioner shows that the petitioner was at the locale of the material point of time. The trial commenced with the first prosecution witness being examined. The accused took time to cross-examine the prosecution witness.

Considering the gravity of the offence and the complicity of the petitioner appearing therein 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. 7159 of 2021 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

