

07.09.2022

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rejected

C.R.M.(DB) No. 3024 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kirnahar Police Station Case No. 16 of 2022 dated 02.02.2022 under Sections 302/34 of the Indian Penal Code.

And

In Re : Buddhadeb Bagdi petitioner

Md. Sabir Ahmed

Md. Abdur Rakib

... for the petitioner

Mr. Nguive Ahmed, learned A.P.P.

Ms. Trina Mitra

... for the State

Learned Counsel appearing for the petitioner submits he is in custody for 154 days. It is also submitted that there is inordinate delay in lodging F.I.R. Unnatural death case does not advert to a case of homicidal death.

Learned Counsel appearing for the State opposes prayer for bail.

We have considered materials on record. An elderly lady died in suspicious circumstances. UD case was registered. During postmortem it was opined that she had suffered homicidal death. Subsequently F.I.R. came to be registered. Statements of witnesses implicate the petitioner in the crime. Trial has commenced. In view of the aforesaid incriminating materials, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)