

19.09.2022.
22.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 3149 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Saithia P.S. Case No.58 of 2022 dated 22.03.2022 under Sections 302/201/120B of the Indian Penal Code.

In the matter of : Dhananjay Mal.

... Petitioner.

Mr. Sujoy Sarkar.

...for the Petitioner.

Ms. Zareen N. Khan,

Mr. Ashok Das.

...for the State.

Petitioner submits he is in custody for 180 days. He submits he has been arrested out of mere suspicion. Victim had died due to drowning. He prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses show petitioner had an illicit relation with the wife of the deceased. They were caught in a compromising position. Subsequently, petitioner was seen with the deceased and on his leading statement, weapon of offence was recovered. Post mortem report shows victim suffered injuries and it is opined death is due to effect of injuries which is suggestive of homicidal death.

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.

Accordingly, the prayer for bail of the petitioner is rejected.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)