

22.12.2022
Sl. No.25
akd
[Rejected]

C. R. M. (DB) 4510 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 15.12.2022 in connection with Hanskhali Police Station Case No.516 of 2022 dated 31.05.2022 under Sections 302/201/34 of the Indian Penal Code.

And

In Re: ***Paresh Mondal***

... .. Petitioner

Mr. Kallol Mondal

... .. for the petitioner

Mr. Mukteswar Maity

... .. for the de-facto complainant

Mr. Sudip Ghosh

Mr. Bitasok Banerjee

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 195 days. It is further submitted petitioner has been falsely implicated in the instant case.

Learned Advocate appearing for the State opposes the prayer for bail.

Learned Advocate appearing for the de-facto complainant also opposes the prayer for bail and submits investigation was not conducted in proper manner. His client was compelled to approach this Hon'ble Court under Article 226 of the Constitution of India. Family of the deceased has received threats. Co-accuseds have not been arrested.

We have considered the materials on record. FIR registered by the de-facto complainant expressed suspicion that the petitioner and others had murdered the victim. She stated there was prior enmity between the parties. Statement of the wife of the petitioner gave an impression that he is involved in the murder. A portion of the motorcycle

used by the petitioner was also recovered from the place of occurrence.

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.)