

24.01.2023
Sl. No.36
akd
[Rejected]

C. R. M. (DB) 280 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 17.01.2023 in connection with Lalgola Police Station Case No.349 of 2022 dated 29.09.2022 under Sections 306/34 of the Indian Penal Code. (G.R. Case No.3222 of 2022)

And

In Re: ***Dibakar Konai @ Bapi***

... .. Petitioner

Mr. Jisan Iqbal Hossain
Ms. Chandrima Debnath
Mr. Karmel Mondal

... .. for the petitioner

Mr. S. S. Imam
Mr. S. Kundu

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 93 days. It is further submitted no money was paid to the petitioner. He had not incited the victim to commit suicide.

Learned Advocate for the State opposes the prayer for bail and submits petitioner had induced the victim to pay Rs.7,50,000/- for employment in school. Victim has implicated the petitioner in his suicide note.

We have considered the materials on record. Petitioner had induced the victim to part with money on the false promise of giving employment in school. Thereafter, the money was misappropriated. Victim left behind a suicide note implicating the petitioner and one Rehesan Sk. @ Md. Rehesan Sk. Co-accused who has been enlarged on bail does not stand on the same footing with the petitioner. Under such circumstances, 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.)

