

16.06.2023
Sl. 15
Court No.29
Suvayan
(Rejected)

C.R.M. (DB) 2191 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in arising out of **Burdwan P. S. Case No. 864 of 2019** dated **28.10.2019** under Sections **325/307/302** of the IPC.

And

In the matter of: **Tapan Das @ Tapa**

....petitioner

Mr. Malay Bhattacharyya

...for the petitioner.

Mr. Neguive Ahmed, APP

Ms. Amita Gaur

...for the State.

1. Heard the learned Counsel for both the parties.
2. The report as filed on behalf of the State be taken on record.
3. The murder is alleged to have been committed by the petitioner and there is eyewitness account of the entire transaction. Bail is moved on the ground of period of imprisonment extending to about three years and the ground that the case is based on circumstantial evidence.
4. Regard being had to such fact and submission, gravity of the offence, punishment prescribed which may extend to life imprisonment and eyewitness account of the injured husband of the deceased, we are not inclined to exercise our discretion in favour of the petitioner under Section 439 Cr.P.C at this stage.
5. Accordingly, the prayer for bail of the petitioner is rejected.
6. CRM (DB) 2191 of 2023 is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)