

16.06.2023

Sl. 32

Court No. 29

Sourav

(Rejected)

C.R.M. (DB) 2271 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Nowda** Police Station Case No. **349** of **2022** dated **09.12.2022** under Sections **302/201** IPC.

And

In the matter of: **Baban Mondal**

....petitioner.

Ms. Minoti Gomes

...for the petitioner.

Mr. Saibal Bapuli, Ld. APP

Mr. Bibaswan Bhattacharya

...for the State.

1. Heard learned Counsel for the parties.
2. Considered the materials placed by the learned Counsel for the parties, the petitioner was seen last together in the company of the deceased when they were beating him and to the sight of the witnesses they took him to another place and at that time they were threatening to murder him. Dead body was recovered on the next morning.
3. Regard being had to such facts and submissions, nature of evidence and gravity of offence, we are not inclined to exercise discretion under Section 439 Cr.P.C. in favour of the petitioner at this stage.
4. Accordingly, the prayer for bail is rejected.
5. The application being **CRM (DB) 2271 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

