

08.08.2023
tkm/ct 28
sl no. 54

C.R.M. (DB) 3111 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Domkal P.S. Case No. 545 of 2022 dated 3.9.2022 under sections 302/201 IPC
and

In Re : Hasibul Hoque petitioner

Mr. Arnab Chatterjee
Ms. P Bose

..... for the petitioner

Mr. Swapan Banerjee
Mr. Suman De

..... for the State

Petitioner is in custody for 333 days. It is contended there is no direct evidence connecting him with the murder. It is also contended that the evidence with regard to last seen theory is not consistent. He prays for bail.

Learned lawyer for the State opposes the bail prayer.

We have considered the materials on record. Statements of witnesses show petitioner had inimical relationship with his wife who divorced him. Victim is the son of the said lady from a previous marriage. Hence, petitioner had motive to commit the crime. Some of the witnesses stated petitioner was seen with the victim in a scooty soon before the incident. Death is due to ante-injuries and homicidal in nature.

In view of the aforesaid incriminating materials and the gravity of offence, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, the prayer for bail is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)