

31.08.2023.
33.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 3413 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bishnupur P.S. Case No.213 of 2023 dated 22.03.2023 under Sections 365/302/201 of the Indian Penal Code.

In the matter of : Alim Sk.

... Petitioner.

Mr. Sumanta Chakraborty.

...for the Petitioner.

Mr. Madhusudan Sur, Id. A.P.P.,

Mr. Dipankar Paramanick.

...for the State.

1. Petitioner is in custody for six months. He submits there is no direct evidence connecting him with the crime. He was subjected to custodial violence and evidence with regard to recovery was manufactured. He prays for bail.
2. Learned Advocate for the State opposes the bail prayer.
3. We have considered the materials on record. Petitioner was last seen with the victim prior to the occurrence. On his leading statement, the body including severed body parts were recovered. Offence is a gruesome one. The weapon of offence has also been recovered on the leading statement of the petitioner. Allegation that the petitioner was subjected to custodial violence is not evident from contemporaneous document and requires to be probalised during trial.
4. In view of the materials on record and gravity of offence, we are not inclined to grant bail to the petitioner.
5. Accordingly, the prayer for bail of the petitioner is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)

