

06.09.2023
tkm/ct 28
sl no. 32

C.R.M. (DB) 3485 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Kharagpur (Local) PS Case No. 372 of 2023 dated 7.4.2023 under sections 302/376D/376/34 IPC

and

In Re : Shibu Dolai @ Shibu Dolui petitioner

Mr. N Chakraborty
Mr. Pradip Neyogi

..... for the petitioner

Ms. Z N Khan
Mr. Ashok Das
Mr. Asif Dewan

..... for the State

1. Petitioner is in custody for 153 days. He submits there is no direct evidence connecting him with the crime. He has been falsely implicated in the case. He prays for bail.
2. Learned lawyer for the Sate opposes the bail prayer. He submits victim had been raped and murdered.
3. We have considered the materials on record. Case involves rape and murder of a victim lady. She used to work as maid servant in a housing complex. Petitioner and his associates had committed theft in the complex. Victim had reported the matter. They nursed grudge against her. Hence, they raped and murdered her. Personal belongings of the victim had been recovered from the petitioner.
4. In view of the gravity of offence and the involvement of the petitioner therein we are not inclined to grant bail to the petitioner.
5. Accordingly, the prayer for bail is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)