

03.01.2023.
17.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 4639 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Margram P.S. Case No.215 of 2021 dated 07.12.2021 under Sections 498A/302/34 of the Indian Penal Code.

In the matter of : Rafikul Sk.

... Petitioner

Mr. Somnath Banerjee,
Mr. Pronojit Roy.

...for the Petitioner.

Mr. Saswata Gopal Mukherji, ld. P.P.,
Mr. Partha Pratim Das,
Mrs. Manasi Roy.

...for the State.

Petitioner is in custody for 385 days. He renews his prayer for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Statement of eyewitness show petitioner and his father had strangulated the victim-housewife and thrown her into the pond. Delay in the matter is due to abscondence of co-accused i.e. the father of the petitioner.

In view of the aforesaid circumstances, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, the prayer for bail of the petitioner is rejected.

Committing Magistrate is requested to take all necessary steps for apprehension of the absconding accused and in the event, his attendance cannot be ensured in spite of exhaustion of all processes, the court shall declare him as proclaimed offender and commit the case to the Court of Sessions at the earliest.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)