

24.04.2024
26
sdas
rejected

C.R.M.(DB) No. 1277 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Diamond Harbour Police Station Case No. 106 of 2024 dated 04.03.2024 under Sections 306/386/406/120B/34 of the Indian Penal Code.

And

In Re : Bakibullah Borhanya petitioner

Mr. Sourav Chatterjee
Mr. Sabyasachi Chatterjee
Mr. Pintu Karar
Mr. Akashdeep Mukherjee
Mr. Saikat Koley
Mr. Sahabuddin Laskar
Ms. Sayani Karar

....for the petitioner

Mr. Rudradipta Nandy, learned APP
Ms. S. Saha

... for the State

1. Learned Counsel for the petitioner submits he is in custody for 51 days. It is also submitted he is not named in the suicide note. He has been falsely implicated. Accordingly, he prays for bail.

2. Learned Counsel for the State opposes the bail prayer and submits victim was a reputed doctor. He was lured into a honey trap. Petitioner, a member of the police force, assault the victim when he refused to pay ransom. Unable to bear the pressure he committed suicide.

3. We have considered the materials on record. Profile of the case shows a conspiracy between the petitioner and the co-accused who laid a honey trap and extorted money from the unsuspected victim. The deceased who is a doctor fell in the

trap. Petitioner assaulted the doctor when he refused to pay money. Unable to bear the pressure doctor committed suicide. Suicide note has to be seen in the light of these attending circumstances disclosing complicity of the petitioner in the crime. It must be borne in mind that he is a member of the police force. Accordingly, we are not inclined to grant bail to the petitioner.

4. Application for bail is, thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)