

01.05.2024.
38.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 1342 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection Mohanpur P.S. Case No.272 of 2023 dated 07.11.2023 under Sections 302/201/34 of the Indian Penal Code and subsequently transferred and registered as G.R. Case No.9488 of 2023 in Titagarh P.S. Case No.517 of 2023 dated 22.11.2023 under Sections 302/201/34 of the Indian Penal Code.

In the matter of : **Santu Roy**

... Petitioner.

Mr. Dhananjay Banerjee.

...for the Petitioner.

Mr. Antarikhya Basu,
Ms. Rituparna Saha.

...for the State.

1. Petitioner submits there is no direct evidence connecting him with the murder. He has been falsely implicated. He is in custody for 174 days. Accordingly, they pray for bail.

2. Learned Advocate for the State opposes the bail prayer. He contends petitioner and one Jayanta committed the murder. On the showing of Jayanta decomposed body of the deceased was recovered. CCTV footage shows petitioner and the deceased were seen together prior to the incident. Petitioner was also seen buying sleeping pills which was used to sedate the victim and thereafter strangulate him.

3. We have considered the materials on record. CCTV footage shows petitioner and the deceased were seen together prior to the incident. Other materials also show petitioner purchasing sleeping pills which as per prosecution was used to sedate the victim before his murder. Body of the deceased was recovered on the showing of co-accused.

4. In view of the aforesaid incriminating circumstances and gravity of the 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.)