

22.
Court
No.28

10.06.2024

(Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 1528 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973, in connection with **Chandipur Police Station Case No. 53 of 2024**, dated **18.02.2024**.
And
In the matter of: - **Samiran Bera**

...petitioner.
Mr. Swapan Kumar Mallick, Adv.,
Ms. Sudeshna Das, Adv.,
Mr. Abhinaba Mukherjee, Adv.
...for the petitioner.

Mr. Madhusudan Sur, Ld. APP,
Mr. Kanchan Roy, Adv.
...for the State.

Mr. Susnigdho Bhattacharyya, Adv.
...for the *de facto* complainant.

The petitioner is one of the five accused persons. The allegation is that the petitioner called the victim for a picnic. Subsequently, it was reported to the victim’s father that the victim’s body was lying next to a pond. Upon the body of the victim being taken to the hospital, he was declared dead.

The petitioner says that he has no connection with the alleged crime. He is in custody for 69 days. The FIR was lodged six days after the alleged incident. He is willing to co-operate with the Investigating Agency to the fullest.

We have seen the material in the case diary including the statements of witnesses recorded. Investigation is yet to be

completed. Further, four out of five accused persons are absconding.

On an overall assessment of the material on record and the gravity of the alleged offence as also the possible extent of complicity of the petitioner in the alleged offence and also because investigation is yet to be completed, we are not inclined to allow the petitioner's prayer for bail, at this stage. The prayer for bail is hereby rejected.

The application being CRM (DB) 1528 of 2024 is accordingly dismissed.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)