

CRM (DB) 1870 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Adra Police Station** Case No. **51 of 2023** dated **23.06.2023** under Sections **302/307/120B/34** of the Indian Penal Code.

- A n d -

In the matter of : Ratnesh Kumar Pandey

.... Petitioner.

Mr. Sabyasachi Banerjee,
Mr. R. R. Sinha,
Mr. A. Dutta,
Mr. R. Mukhopadhyay,

... For the Petitioner.

Mr. Suman De,
Mr. D. Ghorai,

... For the State.

Mr. Soumajit Das Mahapatra,
Ms. M Sinha,

.... For the defacto complainant.

The petitioner is one of several accused persons. He says that he has no connection with the alleged offence. He was not put up for T.I. parade. His brother was identified in T. I. parade. There is no sufficient material to keep him in custodial detention any further. He has been in custody for 306 days. Investigation is complete. Charge sheet has been submitted.

Learned Advocate for the State draws our attention to various materials in the case diary. We have seen the statement of witnesses recorded under Section 161 of the Code of Criminal Procedure. We have seen the seizure list. A blood stained shirt was recovered from the rented house where apparently the

petitioner resided. The serological report indicates human blood on that shirt.

On an overall assessment of the material on record and the nature and quality of evidence so far available, we are of the view that *prima facie* involvement of the petitioner in the alleged offence cannot be ruled out. The charges are grave in nature. If convicted, the petitioner will have to undergo life sentence, to say the least.

Accordingly, we are not inclined to allow this application for bail at this stage.

CRM (DB) 1870 of 2024 is, thus, dismissed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)