

21.08.2024
Item no. 37.
Court No.28.
AB
(Rejected)

CRM (DB) 2148 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Karimpur P.S. Case No.33 of 2024 dated 12.2.2024 under Sections 302/120B of the Indian Penal Code

And

In the matter of : Aasrab Mandal @ Asrab Mondal

.....Petitioner.

Mr. Ayan Basu,
Mr. Asraf Mondal,
Mr. Sumit Routhfor the Petitioner.

Mr. Ranabir Roychoudhury,
Mr. Soumya Basu Roychoudhury.....for the State.

Dictated by Apurba Sinha Ray, J.

1. Learned Advocate for the petitioner has submitted that the petitioner has been falsely implicated and he is in custody for about 189 days. There is no eyewitness to the alleged commission of offence at the instance of the present petitioner. The case is entirely based on circumstantial evidence. However, considering his period of detention and also the fact that investigation is complete, the petitioner may be enlarged on bail on any condition.
2. Learned Advocate for the State has submitted that the case has already been committed and further, as per leading statement of the present petitioner, the

offending weapon was recovered. There is sufficient incriminating material against the petitioner, which shows that the petitioner and the victim were last seen together.

3. We have considered the materials on record including the CD and it prima facie appears that there are certain incriminating materials against the present petitioner. In view of the stage of the proceeding, we are not inclined to allow the petitioner's prayer for bail, at this stage.
4. The prayer for bail is, accordingly, rejected.
5. CRM (DB) 2148 of 2024 is dismissed.
6. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)