

64.
Court
No.28

02.09.2024
(Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 2332 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with Cossipore P.S. Case No. 36/2024 dated 26.3.2024.

And

In the matter of: - **Rajesh Das**

Mr. Sk. Taslim Ali

Mr. Bibaswan Bhattacharya

Mr. Aritra Bhattacharya

...petitioner.

...for the petitioner.

...for the State.

Dictated by Prasenjit Biswas, J.

1. Learned Advocate for the petitioner submits that the petitioner is in custody for a considerable period of time. It is further submitted that initially charge was framed under Section 304 of the Indian Penal Code (IPC) and after completion of investigation charge-sheet has been submitted under Section 302/34, IPC. The petitioner prays for bail on the ground of his long detention behind the bar.
2. Learned Advocate for the State vehemently opposes the prayer for bail and submits that there are sufficient incriminating materials gathered during investigation which reflect *prima facie* involvement of the present accused petitioner with the alleged offence.
3. Our attention has been drawn to the post mortem report filed in connection with the instant case.

4. Considering the rival submissions of the parties and the materials placed before us and the heinousness of the offence involved, we are not inclined to enlarge the petitioner on bail, at this stage.
5. The application being CRM (DB) 2332 of 2024 is accordingly dismissed.

(Arijit Banerjee, J.)

(Prasenjit Biswas, J.)