

05.08.2024.
57.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 2350 of 2024

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita in connection with Goghat P.S. Case No.169 of 2024 dated 07.04.2024 under Sections 302/201 of the Indian Penal Code and adding Section 376 of the Indian Penal Code.

In the matter of : **Durlav Roy @ Dulal Roy.**
... Petitioner.

Mr. Niladri Sekhar Ghosh,
Ms. Sompurna Chatterjee,
Mr. Sourav Mondal,
Mr. Rony Mondal.

...for the Petitioner.

Ms. Zareen N. Khan,
Mr. S. Basu Roy Chowdhuri.

...for the State.

1. Petitioner contends there is no direct evidence connecting him with the alleged offence. He has been arrested out of suspicion. He is in custody for 116 days. Accordingly, he prays for bail.

2. Learned Advocate for the State opposes the bail prayer. She contends petitioner was a *tantric* and the victim used to visit him. On the day of occurrence there was telephonic conversation between petitioner and victim. Tower location also shows close proximity between them. Bloodstained wearing apparels of the petitioner and hair samples of the victim have been collected from the place of occurrence and sent for FSL examination.

3. We have considered the materials on record. Case involves rape and murder of the victim. Victim used to regularly visit the petitioner who was a *tantric*. On the day of occurrence CDRs show telephonic conversations between them. Cell tower location shows close proximity between the petitioner and the victim. Bloodstained wearing apparels of the petitioner have been seized. Forensic reports with regard to clothings and hair samples are awaited.

4. Under such circumstances, 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.)