

11.11.2024.
69.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 3445 of 2024

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Chandrakona P. S. Case No.150 of 2023 dated 09.04.2023 under Sections 302/201 of the Indian Penal Code.

In the matter of : ***Manasa Sarkar.***

... Petitioner.

Mr. Arnab Chatterjee,
Mr. Arka Chakraborty.

...for the Petitioner.

Mr. Madhusudan Sur, Id. A.P.P.

...for the State.

1. Petitioner submits he is in custody for over a year. There is no direct evidence connecting him with the murder. Accordingly, he prays for bail.

2. Learned Advocate for the State opposes the bail prayer. He submits petitioner had made extra judicial confession to his paramour Piu Santra admitting his murder.

3. We have considered the materials on record. Petitioner had an extra marital affair with Piu Santra. Batakrishna Pal, the deceased had divulged this fact to her husband. Over this issue, there was a dispute. Thereafter, Batakrishna Pal was murdered. It is alleged petitioner made extra judicial confession to Piu Santra. Her statement was recorded before Magistrate. She is yet

to be examined in court. Possibility of winning over the said witness in the event the petitioner is released on bail cannot be ruled out.

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.

6. We direct the trial court to examine the vital witness Piu Santra at the earliest.

7. Parties shall communicate this order to the trial court for necessary compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)