

03.05.2024
SL No.27
Court No.1
(gc)
(rejected)

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

CRM (DB) 186 of 2024

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Maynaguri Police Station Case No.485 of 2023 dated 22.12.2023 under Section 302/34 of the Indian Penal Code.

And

In the matter of : **Aminul Islam**

- Petitioner.

Mr. Anirban Banerjee

....For the Petitioner.

Mr. Aditi Shankar Chakraborty, Ld. APP

Mr. Aniruddha Biswas,

Mr. Biswarup Roy

...For the State.

1. Heard the learned Counsel for the parties.
2. Prayer for bail has been opposed on behalf of the State.
3. Though the case is based on circumstantial evidence, learned Counsel for the State submits before this Court that there are materials in the CD that the deceased and the accused are last seen together and there is statement of the accused relating to recovery of the offending weapon.
4. On consideration of the entire materials as placed before this Court, we are not inclined to exercise our discretion under Section 439 Cr.P.C. in favour of the petitioner.
5. Accordingly, the prayer for bail is rejected.

6. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Partha Sarathi Sen, J.)