

28.02.2025

Serial no.133

Dd

CRM (DB) 848 of 2024

In re : An Application for cancellation of Bail under Section 439(2) of the Code of Criminal Procedure, 1973.

-And-

In the matter of : Suvas Dey

... ...Petitioner

Mr. Arghadip Das, Advocate

... ... For the Petitioner

Mr. Pravas Bhattacharya, Advocate

... ...For the State

Mr. Imtiaz Ahamed,

Mr. Azhar Hossain Chowdhury, Advocate

... ...For the private Opposite Party

1. Affidavit-of-service filed in Court be taken on record.
2. Petitioner seeks cancellation of the bail granted by Order No. 2 dated January 18, 2024 passed in Criminal Misc. Case No. 11 of 2023.
3. Learned jurisdictional Court took into account materials in the case diary as also the fact that Investigating Officer took the private respondent on remand and nothing was recovered from possession of the private respondent. Deceased was missing since November 17, 2022 and dead body was recovered in a decomposed condition on November 23, 2022.
4. Learned jurisdictional Court considered the postmortem report and was of the view that further detention of the private respondent was not necessary.
5. We perused the postmortem report. The dead body of the victim did not contain external injury. However, internal injuries were noted in the postmortem report. The death was opined due to the effects of the injuries noted in the

postmortem report. Manner of death was left to be confirmed by circumstantial evidence.

6. Postmortem report is not categorical as whether the death was homicidal or not.
7. In such circumstances, we find no reason to interfere with the impugned order.
8. CRM (DB) 848 of 2024 is accordingly **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)