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23.07.2025
Ct.No.34
b.das
Rejected

C.R.M. (M) 839 of 2025

In Re : An application for bail under Section 483 of BNSS, 2023 filed in connection with Lalgah Police Station Case No.52 of 2024 dated 25.05.2024 under Sections 302/201 of the Indian Penal Code charge sheet submitted under Section 302/201/506/34 of the IPC.

And

In Re : **Durgesh Mandal @ Luda** ... Petitioner.

Mr. Tapan Dutta Gupta
Mr. Parvej Anam
Mr. A. S. Ray
Ms. R. Ghosh ... for the petitioner.

Mr. Ranadeb Sengupta
Ms. Nahid Ahmed ... for the State.

Report submitted by the State is taken on record.

Heard learned counsels for the parties.

The petitioner is in custody for more than a year and prays for bail.

Learned counsel for the petitioner submits that witness action has commenced. The case is based on circumstantial evidence. Further detention of the petitioner is not required.

Learned counsel for the State opposes the prayer.

I have considered the material on record. It appears that the petitioner developed affinity towards the wife of the deceased which was not responded to by the latter. The petitioner was last seen together with the deceased prior to the alleged incident. Personal belongings of the deceased were recovered from the possession of the petitioner.

Chance fingerprints on the alcohol bottles recovered from the place of occurrence matched with that of the petitioner. The petitioner's mobile phone was used to call the deceased to the place. Blood stains in the wearing apparel of the petitioner matched with the blood group with the deceased.

Witness action has commenced and 5 out of 25 witnesses have been examined by the prosecution. The petitioner is in custody for more than a year. Offences, if proved, shall attract mandatory life imprisonment.

In view of sufficient incriminating material having transpired against the petitioner prima facie connecting him to the offence, prayer for bail is rejected at this stage.

The application for bail is thus disposed of.

Case diary be returned.

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

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)