

22
18.09.2025
Ct.No.34
b.das
Rejected

C.R.M. (M) 1469 of 2025

In Re : An application for bail under Section 483 of BNSS, 2023 filed in connection with Kulpi Police Station Case No.307 of 2021 dated 04.10.2021 under Sections 302/201/34 of the Indian Penal Code.

And

In Re : **Saifuddin Purkait** ... Petitioner.

Mr. Arnab Chatterjee

Mr. Dipankar Guha ... for the petitioner.

Mr. Bibaswan Bhattacharya

Mr. Parvez Anam ... for the State.

Mr. Kallol Mondal

Mr. Krishan Ray

Mr. Souvik Das

Mr. A. Banerjee

Mr. S. K. Singh ...for the de facto complainant.

Heard learned counsels for the parties.

The petitioner is in custody for about 1 year and 9 months.

Learned counsel for the petitioner submits that the 2nd recovery shown from the house of the petitioner is sketchy. The articles may have been planted in his house subsequently when he was in police custody. There is no tangible evidence against him justifying his further detention. The forensic report of the blood stained iron rod allegedly recovered at the instance of the petitioner is silent with regard to the blood stains therein. He prays for bail.

Learned counsels for the State and the de facto complainant oppose the prayer.

I have considered the material on record. The petitioner was granted bail by the learned trial Court which

was subsequently cancelled by this Court. Despite the petitioner being directed to surrender before the learned trial Court, the petitioner failed to comply with the said order for which warrants of arrest, proclamation and attachment were issued against him. Suppressing these facts, the petitioner approached this Court in a revisional application seeking stay of the said warrants. Pending such stay, the petitioner surrendered before the learned trial Court. The learned trial Court being aware of the cancellation of bail of the petitioner by the Hon'ble Division Bench of this Court, chose to turn down the bail prayer and take him into custody. Thereafter, the bail prayer of the petitioner was turned down on two earlier occasions.

There appears to be a long standing enmity between the victim and the family of the de facto complainant. The petitioner executed a forged deed in his favour and usurped the property of the victim for which the victim lodged a civil suit against the petitioner.

On the relevant date when the victim was going to the Court with the relevant documents pertaining to the case, he was murdered on the way. The documents that were carried by the victim were recovered from the house of the petitioner pursuant to his leading statement. The offending weapon has also been recovered at the instance of the petitioner. Though the case is primarily based on the circumstantial evidence, there is material on record implicating the petitioner in the alleged crime. Witness action has commenced. 2 out of 32 witnesses have been examined.

Considering the material on record and prima facie role of the petitioner in the alleged crime, prayer for bail is rejected at this stage.

Learned trial Court is directed to expedite the trial without granting any unnecessary adjournment to either of the parties.

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.)