

22.01.2025
Item no. 31.
Court No.29.
AB
(Rejected)

CRM (DB) 3182 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Ketugram P.S. Case No.629 of 2023 Dated 12.08.2023 under Sections 498A/302 of the Indian Penal Code

And

In the matter of : Sontosh Fouzdar @ Santosh Fouzdar

.....Petitioner.

Mr. Kallol Mondal
Mr. Krishan Ray
Mr. Souvik Das
Mr. Anamitra Banerjee
Mr. Akbar Laskar for the Petitioner.

Mr. Raju Mondal for the State.

Dictated by Arijit Banerjee, J.

1. Status Report filed by the State, be kept with the records.
2. 4 out of 16 charge sheet named witnesses have been examined so far. The petitioner says that he is in custody for about one year and six months. 4 witnesses so far examined do not implicate him insofar as the murder charge is concerned. He prays for bail.
3. We see, prima facie, there is sufficient material against the petitioner. The victim died because of multiple stab injuries. The offending weapon was recovered from the house of the petitioner. Post mortem report supports the prosecution case. The petitioner's father has recorded a

statement under Section 183 B.N.S.S. 2023. He is yet to be examined.

4. We, therefore, find prima facie incriminating material against the petitioner. The State says that it will complete examination of witnesses within five months as is recorded in the status report.
5. In view of the incriminating material against the petitioner, we are not inclined to entertain the petitioner's prayer for bail, at this stage.
6. The prayer for bail is rejected.
7. CRM (DB) 3182 of 2024 is dismissed.
8. However, in view of the fact that the petitioner has been in custody for quite some time, we direct the learned Trial Court to expedite the trial to the extent possible and conclude the same on an early date in the light of the stand taken by the State as recorded in the status report, reserving liberty to the petitioner to renew his prayer after a reasonable period of time.
9. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)

