

44.
22-01-2025
(ct. no.29)
S. De

CRM (DB) 3317 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure as amended under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023,
And

In the matter of : Jwala Mallick.

.....**Petitioner.**

Mr. Indrajit Dasgupta,
Ms. Puspita Bhowmick,for the Petitioner.

Mr. Prasun Kr. Dutta, Ld. APP,
Mr. Amanul Islam,for the State.

Mr. Amarta Ghose,
Mr. Sujan Chatterjee,
Mr. Rohan Bavishi,
Ms. Shreyasi Sarkar, ...for the victim.

Dictated by Apurba Sinha Ray, J.

1. Report filed by the State be kept with the records.
2. The name of the learned advocate for the petitioner has been wrongly recorded as Mr. Indrajeet Debnath in the order dated January 14, 2025. The same should be corrected and the correct name i.e. Mr. Indrajit Dasgupta should be recorded.
3. learned counsel for the petitioner says that he is in custody for 3 years and 4 months. There is no clinching evidence against this petitioner. 11 witnesses have been examined. There is no chance of his conviction. He may be enlarged on bail on any conditions.
4. Learned counsel for the State opposes the prayer for bail. According to him, the cross-examination of two I.O.s are remaining and next date for cross-examination of those I.O.s has been fixed on January 31, 2025. There are sufficient incriminating evidences against the present petitioner. The petitioner assisted the concerned assailant to shoot the

victim. If the petitioner is enlarged on bail, the prosecution may suffer.

5. Eye-witnesses have deposed regarding the active role of this petitioner in the alleged murder. We further see that the trial is on the verge of conclusion.
6. In view of the aforesaid and keeping in mind that the conviction of the petitioner will entail mandatory life imprisonment for him, we are not inclined to grant bail to the petitioner in spite of he being in custody for quite some time.
7. CRM (DB) 3317 of 2024 is dismissed.
8. 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.)