

13.02.2025

Serial no. 79 list dt.12.1.2025

Or Supp. List- 31)

[Dd]

(Bail Rejected)

CRM (DB) 3754 of 2024

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Halisahar** Police Station Case No. **129** of **2022** dated **22.06.2022** under Sections **302/201/34** of the IPC.

-And-

In the matter of : Sayan Chakraborty

... ..Petitioner

*Mr. Sabir Ahmed,
Ms. Tasnim Ahmed,
Mr. Dhiman Banerjee,
Mr. Quazi Ezaz Ahmed, Advocates
... .. For the Petitioner*

*Mr. Madhusudan Sur,
Md. Sayeed Khan, Advocates
... ..For the State*

1. Petitioner prays for bail.
2. Learned advocate appearing for the petitioner submits that the petitioner is in custody in excess of two years and four months. As against the petitioner, the case of the prosecution is based on circumstantial evidence. Allegedly petitioner was last seen together with the victim two days before the dead body of the victim being discovered.
3. Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary including the statement recorded under Section 164 of the Criminal Procedure Code. He submits that out of 38 prosecution witnesses 8 were examined.
4. Petitioner stands implicated in a crime of murder. Statement recorded under Section 164 of the Criminal

Procedure Code implicates the petitioner in such crime.
Trial is in progress.

5. Considering the gravity of the offence, involvement of the petitioner therein, materials in the case diary and the fact that trial is in progress, we are not inclined grant bail to the petitioner.
6. Prayer for bail of the petitioner is **rejected**.
7. **CRM (DB) 3754 of 2024** is **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)