

12.03.2025
Serial no. 47
[Dd]
(Bail **Rejected**)

CRM (DB) 4310 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 **Nalhati** Police Station Case No. **378** of **2024** dated **02.07.2024** under Sections **103(1)** of the Bharatiya Nyaya Sanhita, 2023.

-And-

In the matter of : UJJAL MONDAL @ UJJAL MANDAL @ RANO
...Petitioner

Mr. Sujoy Sarkar,
Ms. Sneha Srivastava,
Ms. Debolina Goswami, Advocates
... ... For the Petitioner
Mr. Atanu Ghosh, Advocate
... ...For the State

1. Petitioner prays for bail.
2. Petitioner was enlarged on interim bail on the ground of death of his mother. Petitioner surrendered subsequently in terms of the order granting interim bail on February 21, 2024.
3. Learned advocate appearing for the petitioner submits that the case as against the petitioner is based on circumstances. There is no direct evidence implicating the petitioner. The mobile phone recovered from the petitioner claimed to be belonging to the deceased was not established to be belonging to the deceased. He submits that, on the basis of strong suspicion alone, further detention of the petitioner is not required. He points out that the police filed charge sheet.
4. Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary. He submits that the petitioner and the victim were in an amorous relationship. Petitioner and the victim were last seen together. Mobile tower location of the mobile phone used by the victim as well as the petitioner shows that they were at the same place when, the victim was found dead.

Petitioner was on the culvert and the dead body of the victim was recovered from beneath the same culvert. The mobile phone as well as the various bank documents of the victim were recovered from the possession of the petitioner.

5. We perused the postmortem report of the victim. Victim sustained several injuries. Body of the victim was found beneath the culvert, on which the petitioner was seen standing. Petitioner was last seen with the victim. Mobile phone and the banking documents of the victim were found from the possession of the petitioner.
6. At this stage, therefore, it would be inappropriate to enlarge the petitioner on bail on the basis of the materials available on record.
7. In such circumstances, we are not inclined to grant bail to the petitioner.
8. Prayer for bail of the petitioner is **rejected**.
9. **CRM (DB) 4310 of 2024 is dismissed.**

(Debangsu Basak, J.)

(Smita Das De, J.)