

09.06.2022.
62.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 1499 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bhagwangola P.S. Case No.529 of 2020 dated 04.11.2020 under Sections 448/302/120B/34 of the Indian Penal Code.

In the matter of : Netai Ch. Das @ Netai Chandra Das
Nitay Chandra Das.

... Petitioner.

Mr. Arnab Chatterjee,
Mr. Anisur Rahaman.

...for the Petitioner.

Mr. Sudip Ghosh,
Mr. Apurba Kr. Datta.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

It is submitted on behalf of the petitioner that he has been falsely implicated in the instant case. Ocular statements show that the victim was physically assaulted by the petitioner and the other accused persons but no injury is found in the post mortem report.

Learned Advocate for the State opposes the prayer for bail and submits that the victim was assaulted by bamboo sticks and thereafter hanged. Post mortem report shows the cause of death as hanging.

We have considered the materials on record including statements of witnesses who state that the petitioner and others assaulted and thereafter hanged the victim. Post mortem report supports the cause of death as per ocular version.

In view of the aforesaid materials on record and the gravity of the offence, we are of the opinion that this is not a fit case to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)