

20.07.2022
tkm/ct 28
sl no. 34

C.R.M. (DB) 2393 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Kashipur PS case no. 4/2022 dated 10.1.2022 under section 302 IPC

And

In Re : Kartik Mahato

..... petitioner

Mr. Pawan Kr. Gupta

Mr. S Maity

Ms. Ankita Dey

Mr. S Sett

..... for the petitioner

Mr. S Bapuli

Mr. Bibaswan Bhattacharya

..... for the State

Petitioner is in custody for 188 days. It is submitted he has been falsely implicated in the instant case.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. Victim was the paramour of the wife of the petitioner. Petitioner had motive to commit the murder. He was not found at his residence at the time of occurrence. Subsequently, he was medically treated for injuries on his hand. Before the medical officer he stated that he had been assaulted by the victim. Soon thereafter, the dead body of the victim was recovered and FIR was registered. On leading statement of the petitioner incriminating articles have been recovered.

In view of the aforesaid materials on record and gravity of offence, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, the prayer for bail is rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)