

10.11.2022

36
sdas
rejected

C.R.M.(DB) No. 3922 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Borjora Police Station Case No. 138 of 2021 dated 24.09.2021 under Sections 417/418/419/468/469/473/34/302 of the Indian Penal Code.

And

In Re : Sudipto Sardar petitioner

Md. Ashraf Ali

... for the petitioner

Mr. Madhusudan Sur, learned APP

Mr. Manoranjan Mahata

... for the State

Learned Counsel appearing for the petitioner submits he is in custody for more than 300 days. It is also submitted that there is no material to show that he had murdered the patients.

Learned Counsel appearing for the State opposes the prayer for bail and submits that the petitioner did not have medical qualification. He personated as a doctor and treated the patients. As a result the patients died.

We have considered the materials on record. There are ample evidence to show that the petitioner had used fake documents to represent himself as a medical practitioner. In a brazen manner he undertook the treatment of the victims who unfortunately died. Prima facie the petitioner had committed acts knowing that it is so imminently dangerous that in all probability it would cause death of the patients. Charges have been framed and dates have been fixed for recording evidence.

Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

Trial court is requested to expedite the trial and conclude the same at an early date without granting any unnecessary adjournments to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)