

10.11.2022

35
sdas
rejected

C.R.M.(DB) No. 3921 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bally Police Station Case No. 254 of 2021 dated 02.11.2021 under Sections 468/471/304/304A/120B of the Indian Penal Code.

And

In Re : Sudipto Sardar petitioner

Md. Ashraf Ali

... for the petitioner

Mr. Rudradipta Nandi, learned APP

Mr. Subrata Roy

... 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. Trial of the case has already commenced.

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

The application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)