

19.12.2022
Sl. No.33
akd
[Rejected]

C. R. M. (DB) 4450 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 13.12.2022 in connection with Gangarampur Police Station Case No.67 of 2022 dated 25.01.2022 under Sections 341/302/120B/34 of the Indian Penal Code.

And

In Re: ***Madangopal Roy & Anr.***

... .. Petitioners

Mr. Sandip Chakraborty
Mr. Kaustav Das

... .. for the petitioners

Ms. Jeenia Rudra

... .. for the de-facto complainant

Mr. Madhusudan Sur .. Id. Addl. Public Prosecutor
Mr. Manoranjan Mahato

... .. for the State

It is submitted on behalf of the petitioners that they are in custody for more than a year. It is further submitted petitioners did not intend to murder the victim.

Learned Additional Public Prosecutor opposes the prayer for bail and submits victim was dragged to the house of the petitioner no.2. Thereafter, all the accuseds including the petitioners assaulted him resulting in his death.

Learned Advocate appearing for the de-facto complainant also opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses show participation of the petitioners in the assault. Post-mortem report also notes a number of injuries on the deceased. Bail prayer of co-accused has been rejected earlier. In view of the aforesaid facts, we are not inclined to grant bail to the petitioners at this stage.

The application for bail is thus **rejected**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

