

19.12.2022
Sl. No.46
akd
[Rejected]

C. R. M. (DB) 4464 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. (G.R. Case No.115 of 2022)

And

In Re: ***Kartick Sarkar @ Kartik Sarkar***

... .. Petitioner

Ms. Busra Khatoon

... .. for the petitioner

Ms. Jeenia Rudra

... .. for the de-facto complainant

Mr. Nuguive Ahmed .. Id. Addl. Public Prosecutor

Ms. Trina Mitra

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 304 days. It is further submitted petitioner 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 one Swapan Roy. Thereafter, all the accuseds including the petitioner 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 petitioner 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 petitioner at this stage.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

