

11.01.2023.
43.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 86 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Krishnanagar GRPS Case No.12 of 2021 dated 14.12.2021 under Sections 302/34 of the Indian Penal Code.

In the matter of : Parimal Ghosh @ Parimol Ghosh
Bapai Ghosh & Ors.

... Petitioners.

Mr. Soubhik Mitter,
Mr. Litan Maitra,
Ms. Rajnandini Das.

...for the Petitioners.

Mr. P. K. Dutta, Id. A.P.P.,
Mr. Pradipta Ganguly.

...for the State.

Petitioners are in custody for over a year. It is contended the medical report does not support a case of assault. It is also contended that the victim had slipped and fell on the railway track resulting in death. They renew their prayer for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Petitioners were identified in T. I. Parade. Statements of eye witnesses show petitioners had assaulted the victim and pushed him on to the railway tracks in front of a running train. Consequently, the death of the victim was caused being run over by the train.

In view of the prima facie involvement of the petitioner and the nature of crime, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)