

22.12.2023
tkm/ct 28
sl no. 45

C.R.M. (DB) 4762 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Arsha P.S. Case No. 12 of 2023 dated 11.2.2023 under sections 326/307/302/34 IPC,
And

In Re :Nirmal Kumar & Anr. petitioners

Mr. Sourav Chatterjee
Mr. Pawan Kumar
Ms. S Chakraborty
Mr. S Mitra
Ms. S Chatterjee

..... for the petitioner

Mr. Swapan Banerjee
Mr. Arindam Sen

..... for the State

1. Petitioners contend that the names of the assailants had not been stated in the medical records. They have been falsely implicated in the case and are in custody for 315 days. They pray for bail
2. Learned lawyer for the State opposes the bail prayer.
3. We have considered the materials on record. Statement of injured witness implicates the petitioners in the crime. Mere failure to disclose the names in the medical records would not improbabilise presence of the injured witness at the spot or the identification of the assailants by the said witness.
4. Keeping in mind the evidence on record and the gravity of offence we are not inclined to grant bail to the petitioners at this stage
5. Accordingly, prayer for bail is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)