

13.07.2023
Item no.12.
Court No.01.
S. De
(Rejected)

Circuit Bench of Calcutta High Court
at Jalpaiguri

CRM (DB) No. 415 of 2023

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure.

And

In the matter of : Rabindra Nath Sarkar Petitioner.

Mr. Sourav Sarkar,
.....for the Petitioner.

Mr. Aditi Shankar Chakraborty, Ld. APP
Mr. Kallol Nag, for the State.

Heard learned advocate for the petitioner and learned
advocate for the State at length.

In support of the instant application for bail, learned
advocate for the petitioner, at the very outset, draws attention of
this Court to the annexures of the instant bail application.
Attention of this Court is also drawn to Memo No. 906 dated
09.06.2023 as issued by B.M.O.H., Maynaguri Rural Hospital,
Jalpaiguri. It is contended that the present accused petitioner
has been implicated in the instant case out of mere suspicion
wherein the involvement of the present accused petitioner is very
much remote. It is thus contended that considering long
detention of the present accused petitioner, the instant
application for bail be considered favourably.

Learned advocate for the State, however, opposes such prayer for bail.

We have minutely gone through the entire material in the case diary. The allegation of assaulting the present accused petitioner's wife with sharp cutting weapon and also causing murder of a small child by the present accused petitioner gets due support in course of investigation at least prima facie.

Considering the serious nature of the crime, we are not inclined to exercise our discretion in favour of the present accused petitioner.

The application for bail is, accordingly, rejected.

CRM (DB) 415 of 2023 is dismissed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Partha Sarathi Sen, J.)

(Arijit Banerjee, J.)