

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

22.08.2023
Court No.1
(D/L 01)
(AK)

CRM (DB) 450 OF 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed on 10.08.2023 in connection with Bhaktinagar Police Station Case No.1354 of 2022 dated 19.12.2022 under Sections 341/506/324/325/326/302/34 of the Indian Penal Code.

And

In the matter of: **Ankit Sharma**

... Petitioner.

Mr. Sudip Guha

... for the petitioner.

Mr. Aditi Shankar Chakraborty
Mr. Subhasish Misra

... for the State.

We have considered the material case before us including the statements of the two eye witnesses given under Section 161 of the CrPC. Even if we were to discount those statements, the post-mortem Report clearly states that the death of the deceased was homicidal in nature and was caused due to the injuries inflicted on the deceased.

Considering the gravity of the alleged offence, we are not inclined to grant the prayer for bail.

The points raised on behalf of the petitioner with regard to the involvement of the deceased and the questionable nature of the contents in the case diary are matter of a trial and we expect that those points will also be considered at the time of trial.

CRM(DB) 450 of 2023 is accordingly rejected and disposed of in terms of the above.

(PRASENJIT BISWAS, J.)

(MOUSHUMI BHATTACHARYA, J.)