

23.02.2024
as/tkm/ct 28
sl no. 53

C.R.M. (DB) 562 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Kulti PS Case No. 561 of 2023 dated 9.10.2023 under sections 326/302/34 IPC

And

In Re : Ramotr Singh @Ramotar Kumar Singh @Chotu Singh
..... petitioner

Mr. Kunal Ganguly

..... for the petitioner

Ms. Faria Hossain

Mr. N Dhali

..... for the State

1. Petitioner submits he has not been named by the victim in his dying declaration. He prays for bail.
2. Learned lawyer for the State opposes the bail prayer.
3. We have considered the materials on record. Statements of witnesses show petitioner and others were seen drinking with the victim prior to the incident. Thereafter victim was recovered in dying condition. On the leading statement of the petitioner weapon of offence was recovered. These incriminating materials corroborate presence of the petitioner at the time of occurrence.
4. Under such circumstances, 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.)