

29.02.2024
Sl. No.75
akd
[Rejected]

C. R. M. (DB) 577 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 16.02.2024 in connection with Santiniketan Police Station Case No.153 of 2023 dated 30.09.2023 under Sections 109/302/201/34 of the Indian Penal Code. (G.R. Case No.1042 of 2023)

And

In Re: ***Jiten Mahato***

... .. Petitioner

Ms. Ameena Kabir

... .. for the petitioner

Mr. Madhusudan Sur .. Id. Addl. Public Prosecutor
Ms. Manisha Sharma

... .. for the State

1. It is submitted on behalf of the petitioner that the victim died in a drug rehabilitation centre. Petitioner is in no way involved in the incident. Co-accused has been enlarged on bail. Accordingly, he prays for bail.
2. Learned Additional Public Prosecutor opposes the prayer for bail and submits petitioner had assaulted the drug addict who died. Bail prayer of co-accused viz. Amrit Ram @ Amrito Ra was turned down by this court.
3. We have considered the materials on record. Statements of witnesses show petitioner had assaulted the victim who died in the drug rehabilitation centre. He stands on the same footing with co-accused viz. Amrit Ram @ Amrito Ra whose bail prayer was rejected earlier. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.
4. The application for bail is thus rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)