

137. 24.05.2024
Court
No.6 (Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 1499 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973, in connection with **Kaliyaganj Police Station Case No. 539 of 2023** dated **24.12.2023** under Sections **302/201/120B** of the Indian Penal Code. Charge-sheet under Sections **302/201/120B** of the Indian Penal Code.

And

In the matter of: - **Bhramar Sarkar & Anr.**

...petitioners.

Mr. Atif Ahmed Siddiqui, Adv.,
Mr. Pronojit Roy, Adv.

...for the petitioners.

Ms. Minoti Gomes, Adv.,
Mr. Arabinda Manna, Adv.

...for the State.

Mr. Prabir Kr. Das, Adv.,
Mr. Soupal Chatterjee, Adv.,
Mr. Amit Roy, Adv.

...for the *de facto* complainant.

Learned Advocate for the petitioners says that the petitioner no.1, namely, **Bhramar Sarkar**, is not pressing this application for bail. Therefore, the application stands dismissed insofar as the petitioner no.1 is concerned.

The petitioner no.2, namely, **Amal Sarkar**, is an uncle of the girl with whom the victim had an affair. The allegation is that the petitioners herein called the victim to their house, electrocuted him and dumped his body in the fields.

Learned Advocate for the petitioner no.2 says that his client has no connection with the alleged incident. He has been

falsely implicated. He is in custody for about 160 days. Charge-sheet has been submitted. There is no requirement to detain him any further in custody.

Learned Advocate for the State vehemently opposes the prayer for bail. She produces the case diary.

We have seen the statements recorded under Sections 161 and 164 of the Code of Criminal Procedure, 1973. *Prima facie* the involvement of the petitioner no.2 in the alleged incident appears to be there. The allegations are serious. We are not inclined to allow the prayer for bail, at this stage.

Accordingly, the prayer for bail is rejected.

The application for bail being CRM (DB) 1499 of 2024 is accordingly dismissed.

(Arijit Banerjee, J.)

(Prasenjit Biswas, J.)