

20.
24-09-2024
(ct. no.28)
debajyoti
(rejected)

CRM (DB) 2422 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kakdwip Police Station Case No.215 of 2017 dated 01-08-2017 under Sections 341/323/325/326/307/302/506/34 of the Indian Penal Code.

- A n d -

In the matter of : Kamal Jana

.... Petitioner.

Mr. Satadru Lahiri,
Mr. Sourav Paul,
Ms. Gitashree Mistry

... For the Petitioner.

Mr. Anand Keshari,
Ms. Madhumita Basak

... For the State.

Dictated by Arijit Banerjee, J.

The petitioner says that he has been falsely implicated. There was a land dispute between two groups. There was exchange of blows between the two groups. It is unfortunate that a person died. The petitioner had no intention to kill the person. He is in custody for 188 days. Investigation is complete. He prays for bail.

Opposing the prayer for bail, learned State advocate points out from statements of eye-witnesses recorded under Section 161 of the Code of Criminal Procedure that this petitioner hit the victim on the head with iron rod, injuring him severely. The victim succumbed to such injury on the next day. The petitioner was absconding for six years. Only

after his prayer for anticipatory bail was rejected by this Court, he surrendered.

In view of the aforesaid conduct of the petitioner and the *prima facie* incriminating material against him, we are not inclined to entertain his prayer for bail, at this stage.

The application for bail being CRM (DB) 2422 of 2024 is, thus, **dismissed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)