

44.
Court
No.28

07.10.2024

(Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 2622 of 2024

In Re: - An application for bail under 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of: - **Md. Shamim Ansary @ Semi**

...petitioner.

Mr. Md. Wasim Akram

...for the petitioner.

Ms. Anasuya Sinha, APP

Ms. Dattatreya Dutta

...for the State.

Dictated by Apurba Sinha Ray, J.

1. Learned Counsel for the petitioner vehemently submits that

this is a case of road traffic accident and the present

petitioner has been falsely implicated in this case. However,

The petitioner is in custody for 172 days. As the investigation

is complete the petitioner may be enlarged on bail on any

condition that this Court may decide.
2. Learned Counsel for the State raises strong objection against

the prayer for bail. According to her, this is a clear case of

murder. The statements of witnesses recorded under Section

164 of the Code of Criminal Procedure, 1973, disclose how

the victim was tortured. Further, the post mortem report

depicts that the injuries caused on the person of the

deceased were not the result of a road traffic accident. The

petitioner’s prayer for bail should be rejected.

3. We have gone through the materials on record. Apart from one statement recorded by one medical personnel we do not find anything showing that the victim met with a road traffic accident. The injuries found in the post mortem report do not support the contention of the petitioner. As there are sufficient incriminating materials against the present petitioner and in view of the gravity of the charge, the prayer for bail stands rejected.
4. The application for bail being CRM (DB) 2622 of 2024 is accordingly dismissed.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)