

53. 12.03.2025
Court
No.29 (Pritam)
(Rejected)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 328 of 2025

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, arising out of **Tarakeswar** Police Station Case No.**231/2024** dated **01.07.2024** under Sections **103(1)/3(5)** the BNS, 2023.

And

In the matter of: - **Bikash Samanta & Anr.**

.....petitioners.

Mr. Ranjan Saha,
Mr. Masrur Ahamed

...for the petitioners.

Mr. Saibal Bapuli, Ld. A.P.P.,
Ms. Sonali Bhar

....for the State.

Dictated by Arijit Banerjee, J.

1. The petitioners say that they have been falsely implicated. They are the owners of a puffed rice (muri) factory. The victim stole cash from the factory. The public caught up with him and he succumbed to the injuries that he suffered due to public onslaught. The petitioners have no role to play in the death of the victim. They are in custody for 245 days. They pray for bail.
2. Opposing the prayer for bail, learned State counsel draws our attention to the statements of witnesses recorded under Sections 161/164 Cr.P.C.. They squarely implicate these petitioners as

assaulting the victim. We have also seen the post-mortem report, which *prima facie* supports the prosecution case.

3. In view of the aforesaid and seeing that charge is yet to be framed, we are not inclined to entertain the petitioners' prayer for bail, at this stage.
4. The prayer for bail is, thus, **rejected**.
5. CRM (DB) 328 of 2025 is disposed of.
6. Learned advocate for the petitioners tells us that petitioner no.2 being the father of the petitioner no.1 has medical issues with his eyes. We direct the Controller, Chandernagore Sub-Correctional Home, Hooghly, where the petitioners are lodged, to ensure that the petitioner no.2 receives due medical treatment for his optical problems.

(Arijit Banerjee, J.)

(Om Narayan Rai, J.)