

02.04.2025

Item No.21

Ct.No.34

rc.

Reject

C.R.M. (DB) 459 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Chinsurah Police Station Case No. 398 of 2024 dated 16.09.2024 under Sections 103(1)/61(2)/3(5) of the Bharatiya Nyaya Sanhita.

And

In Re : **Sharwan Kumar Das & Ors.**

... Petitioners.

Mr. Jyoti Prakash Chatterjee

... for the Petitioners

Mr. Debasish Roy

Mr. Arijit Ganguly

Mr. Koushik Kundu

... For the State

Learned counsel for the petitioners submits that the petitioners are in custody for more than 200 days. There was a hot altercation between the petitioners and the victim which resulted in death of the victim and there was no intention on the part of the petitioners to murder him. Charge sheet has been submitted. Further detention of the petitioners is not required.

Learned counsel for the State produces the Case Diary and opposes the prayer for bail. Learned counsel places reliance on the postmortem report of the victim as well as statement of witnesses recorded in course of investigation which support the prosecution case.

The postmortem report indicates that the death was homicidal. The witnesses have lent support to the prosecution case.

Considering the nature and gravity of the offence and extent of involvement of the petitioners therein, this Court is not inclined to release the petitioners on bail at this stage.

The petitioners' prayer for bail is rejected at this stage.

Case Diary is returned.

The application being CRM (DB) No. 459 of 2025 is disposed of.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)