

01.05.2025

Item No.32

Ct.No.34

rc.

C.R.M. (DB) 862 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 Katwa Police Station Case No. 117 of 2022 dated 24.03.2022 under Sections 302/34 of the Indian Penal Code.

And

In Re : **Prasanta Mahaldar**

... Petitioner

Mr. Nilendra Naraya Ray

... for the Petitioner

Ms. Saryati Datta

Mr. Tirupati Mukherjee

... for the State

The petitioner is in custody for more than three years and prays for bail.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated and has no nexus with the alleged offence.

Learned counsel for the State opposes the prayer and submits that eighteen witnesses out of twenty witnesses have already been examined and two more witnesses are left to be examined.

The eye witness to the incident has implicated the petitioner in the offence.

I have considered the material on record. The petitioner appears to be one of the assailants who beat the victim to death. The offending weapon has been recovered

pursuant to the leading statement of the petitioner. Trial is on the verge of completion.

Considering the material on record connecting the petitioner to the alleged crime, prayer for bail is rejected at this stage.

The application is disposed of.

Case Diary is returned.

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

(Suvra Ghosh, J.)