

25.04.2025

Item No.23

Ct.No.34

rc.

C.R.M. (M) 155 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 Gurap Police Station Case No. 212 of 2022 dated 04.11.2022 under Sections 120B/302/201/34 of the Indian Penal Code.

And

In Re : **Somnath Pal**

... Petitioner

Mr. Ankit Agarwala

Mr. Alotriya Mukherjee

... for the Petitioner

Mr. Bitoshok Banerjee

Mr. Diksha Ghosh

... for the State

The petitioner is in custody for more than two years. His bail prayer was turned down by this Court earlier considering the material on record.

Learned counsel for the petitioner submits that one of the witnesses whose statement was recorded under Section 164 of the Code of Criminal Procedure has been examined by the learned trial Court and has failed to establish the presence and identity of the petitioner. Also, there are discrepancies in the medical reports of the petitioner after his arrest, the first report demonstrating several injuries on his person and the subsequent reports remaining silent about such injuries.

Learned counsel for the State opposes the prayer for bail and submits that other witnesses who may enlighten the

Court on the involvement of the petitioner are yet to be examined.

Considering the material available on record connecting the petitioner to alleged offence, 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.)