

26.06.2025

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jb.
jdt.

C.R.M. (M) 644 of 2025

In Re : An Application under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Bishnupur Police Station Case No. 145 of 2023 dated 19.02.2023 under Sections 302/34/120B of the Indian Penal Code.

And

In Re : Ujjawal Sarkar

Mr. Navanil De
Mr. Joy Chakraborty
Ms. Monami Mukherjee

... For the Petitioner.

Ms. Sreyashee Biswas
Ms. Nandini Chatterjee

... For the State

Mr. Angshuman Chakraborty

... For the Defacto Complainant

Supplementary affidavit filed on behalf of the petitioner is taken on record.

Learned counsel for the petitioner submits that the petitioner is in custody for more than two years. Co-accused similarly circumstanced with the petitioner has been granted bail by this Court upon consideration of the evidence of P.W.

1.

Opposing the prayer learned counsels for the State and the defacto complainant submit that the petitioner does not stand on the same footing as the co-accused who has been granted bail. Progress in trial is being deliberately protracted by the petitioner as well as other co-accused.

I have considered the material on record. The petitioner appears to be the principal assailant who shot at

the victim. He has been identified in test identification parade. Vulnerable witnesses are yet to be examined. He does not appear to be similarly circumstanced with the co-accused who has been granted bail earlier. Offence, if proved, shall attract mandatory life imprisonment.

Considering the gravity of the offence and prima facie involvement of the petitioner therein, prayer for bail is rejected at this stage.

The application for bail is disposed of.

Case diary be returned.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

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

(Suvra Ghosh, J.)