

02.09.2025

Item No.15

Ct.No.34

rc.

Reject

C.R.M. (M) 1011 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 Panchasayar Police Station Case No. 20 of 2020 dated 17.03.2020.

And

In Re : **Tarak Patra @ Prem**

... Petitioner

Mr. Jaydeep Biswas

Mr. Jewel Chanda

Mr. Kaushik Ghosh

... for the Petitioner

Ms. Rudradipta Nandy

Ms. Nandini Chatterjee

... for the State

Report submitted by the State is taken on record.

The petitioner is in custody for more than five years and renews his prayer for bail.

Learned counsel for the petitioner submits that one Avijit Roy @ Lal is the principal assailant who dealt the fatal blow on the victim. The post mortem report corroborates the said blow. The petitioner is similarly circumstanced with the co-accused who has been granted bail by this Court earlier.

Learned counsel for the State opposes the prayer.

I have considered the material on record. It appears from the evidence of PW-23 Dr. Apurba Biswas who treated

the petitioner that the petitioner sustained injuries in his fingers which may be attributed to the alleged occurrence. The witnesses have implicated the petitioner along with the principal accused. The petitioner does not appear to be similarly circumstanced with the co-accused who has been granted bail earlier. He is in custody for more than five years. Offence, if proved, shall attract mandatory life imprisonment. Examination of the 25th witness is in progress and the prosecution proposes to examine fifteen more witnesses.

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

The bail 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.)