

September 3, 2025

29 ARDR
(Rejected)

CRM (M) 1122 of 2025

In Re : An Application for bail under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with **Kaliyaganj
Police Station** Case No. **512** of **2024** dated **13/12/2024** under
Sections **126(2)/115(2)/118(2)/324(4)/303(2)/109(1)/3(5)** of the
BNS, 2023.

And

In Re : Prakash Sarkar @ Prakash Chandra Sarkar & ors.
... petitioner.

Adv. Abir Ranjan Neogi,
Adv. Moyukh Mukherjee,
Adv. Karan Bapuli,
... for the petitioner.

Adv. Minoti Gomes
Adv. Jisan Iqbal Hossain,
...for the de facto complainant.

Adv. Baisali Basu,
Adv. Rita Dutta,
... for the State.

Supplementary affidavit filed by the petitioners is taken on
record.

Learned counsel for the petitioners submits that the wife of
the 1st petitioner was admitted to the hospital following a road traffic
accident wherein the victim and others hit the 1st petitioner, his wife
and his brother who sustained injuries. Another complaint was
lodged contemporaneously in connection with the accident. The
bikers were victims of mob fury. The petitioners have been falsely
implicated.

Learned counsels for the State and the defacto complaint
oppose the prayer.

I have considered the material on record including the Case
Diaries of both the cases.

Prima facie there was a road traffic accident which was
followed by the alleged assault. A number of eye witnesses have

implicated the petitioners in the alleged accident. One of the victims succumbed to his injuries. Charge sheet has been submitted. The petitioners are in custody for less than a year. Offence, if proved, shall attract mandatory life imprisonment.

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

The application for bail is disposed of.

Case Diary be 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.)