

24.03.2021

Item No.99

Ct.No.28

dc.

Rejected

C.R.M. 1176 of 2021

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Bhupatinagar P.S. Case No. 142 of 2020 dated 21.09.2020 under Sections 448/325/307/302/34 of the Indian Penal Code (G.R. Case No. 1396/2020).

And

In Re : **Jhantu Arui & Others.**

... Petitioners.

Mr. Amitabha Karmakar,
Mr. Arup Kumar Bhowmick

... For the Petitioners.

Mr. Binay Panda,
Ms. Puspita Saha

... For the State.

This is an application for bail in connection with Bhupatinagar P.S. Case No. 142 of 2020 dated 21.09.2020 under Sections 448/325/307/302/34 of the Indian Penal Code at the behest of the petitioners.

This is a case of the death of an old lady due to sustain injuries received by her when the dispute cropped up on a fringe issue. Some of the co-accused persons are still absconding. The present petitioners are in custody for about 183 days.

We have seen the *post mortem* report as well as the injury report of one of the victims, viz. Mohan Arui @ Mithun Arui and the statement of Mithun recorded under Section 161 of the Code of Criminal Procedure and on assessment of

the same, we do not find that it is a fit case where the petitioners should be released on bail. As such, the petitioners' prayer for bail is **rejected**.

The application for bail, being CRM 1176 of 2021, is, thus, dismissed.

(Harish Tandon, J.)

(Tirthankar Ghosh, J.)