

05.08.2021
Item no. 33
Court No.32.
S.De.
(rejected)

(Via Video Conference)

CRM 2972 of 2021

In Re: An application for Bail under Section 439 of the Code of Criminal Procedure filed on 24.03.2021 in connection with Bhimpur Police Station Case No. 277 of 2020 dated 04.11.2020 under Sections 341/326/307/302/34 of the Indian Penal Code.

And

In the matter of : Sribas Ghosh @ Nyada.

..... petitioner.

Mr. Rajdeep Majumder, Advocate,
Mr. Amanul Islam, Advocate,
Mr. S. Mukherjee, Advocate,

.....for the Petitioner.

Mr. Rana Mukherjee, APP,
Ms. Amita Gaur, Advocate,

.....for the State.

The petitioner is one of the two accused persons. The charge is, inter alia of murder.

The allegation is that when the victim and his wife were spraying medicine on their field, the accused persons assaulted the victim with hansua and bamboo stick. The victim suffered grievous injuries, was hospitalized and succumbed to his injuries five days later. The petitioner says that he has been in custody for about eight months. Charge sheet has been filed. His further custodial detention is not necessary.

We have considered the statements of eyewitnesses recorded under Section 164 of the Code along with other material in the case diary.

Given the serious nature and gravity of the offence that the petitioner has been charged with and on an over all assessment of the material in the case diary, we are not inclined to allow the petitioner's prayer for bail at this stage.

Accordingly, CRM 2972 of 2021 is dismissed.

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

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)