

09.08.2021

Item no. 49

Ct.32

CHC

Rejected

**C.R.M. No.3697 of 2021
(Via Video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed on 30.04.2021 in connection with Harishchandrapur Police Station Case No. 98 of 2020 dated 05.02.2020 under Sections 324/307/302/34 of the Indian Penal Code.

And

In the matter of:-

Umar Faruk

... Petitioner

Ms. Sujata Das

.. for the petitioner

Mr. Swapan Banerjee,
Mr. Suman De

..for the State

The petitioner is one of several accused persons. The charge is under Sections 324/307/302/34 of the Indian Penal Code.

The petitioner says that the incident was a fall-out of a civil dispute pertaining to ownership of land. There are allegations and counter allegations. Counter case has been filed by the petitioner's family against the family of the complainant. The petitioner has been in custody for about 242 days. Chargesheet has been filed. Further custodial detention of the petitioner is not necessary.

State opposes the prayer for bail.

We have seen the material in the case diary, including the statements of eyewitnesses recorded under Section 161 of the Code of Criminal Procedure. The material on record *prima facie* implicates the petitioner as the principal assailant.

In view of the aforesaid, we are not inclined to grant bail to the petitioner at this stage.

The prayer for bail, is, thus rejected.

However, we request the learned trial court to expedite the trial and bring the same to its conclusion as soon as the business of the court may permit.

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.)

