

CRM 4255 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with English Bazar Police Station Case No.874 of 2020 dated 24-09-2020 under Sections 341/326/307/302/34 of the Indian Penal Code.

- A n d -

In the matter of : Pandab Roy & Anr.

.... Petitioners.

Mr. Mritunjoy Chatterjee,
Mr. Imdadul Hoque,
Ms. Debapriya Majumder

... For the Petitioners.

Mr. Madhusudan Sur, learned APP,
Mr. Dipankar Paramanick

... For the State.

Various sections of the Indian Penal Code have been invoked. Section 302 is also there. The petitioners are two of several accused persons. Four accused persons are absconding and have been declared proclaimed offenders.

We have considered the material in the Case Diary including statements of at least three eyewitnesses recorded under Section 164 of the Code of Criminal Procedure and also statements of eyewitnesses recorded under Section 161 of the Code of Criminal Procedure. It *prima facie* appears that there was a consorted attempt on the part of the accused persons to attack and injure the victims. One of the victims succumbed to the serious injuries while the other survived.

We are told that charges have been framed. August 27, 2021 and August 31, 2021 have been fixed as dates for recording of evidence.

In view of the very serious nature of the charge and the *prima facie* incriminating material against these

petitioners in the Case Diary, we are not inclined to allow the prayer of the petitioners for bail at this stage.

The application for bail being CRM 4255 of 2021 is, thus, **dismissed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(**Suvra Ghosh, J.**)

(**Arijit Banerjee, J.**)