

07.12.2021

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sdas
rejected

C.R.M. 5683 of 2021
(via video conferencing)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hanskhali Police Station Case No. 304 of 2020 dated 10.07.2020 under Sections 447/506/323/354B/326/34 and adding Section 313 of the Indian Penal Code.

And

In Re : Sadhan Halder & Anr. petitioners

Ms. Sananda Bhattacharyya
... for the petitioners

Mr. Pasun Kumar Datta, learned APP
Mr. Nirupam Dhali
... for the State

Learned Counsel appearing for the petitioners submits that they are in custody for over 330 days. It is further submitted that they have been falsely implicated in the instant case due to prior enmity.

Learned Counsel appearing for the State opposes the prayer for bail.

Statement of the victim lady is corroborated by the medical evidence. It shows that the victim was brutally assaulted by the petitioners and as a result she suffered miscarriage.

In view of gravity of the offence and prima facie involvement of the petitioners therein, we are not inclined to grant bail to the petitioners at this stage.

The application for bail is, thus, rejected.

Trial court is requested to conclude the trial at the earliest without granting any unnecessary adjournment to either of the parties.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)

C.R.M. 192 of 2018

In Re.: An application under Section 439 of the Code of Criminal Procedure filed on 05.01.2018 in connection with Karimpur Police Station Case No. 136 of 2012 dated 03.07.2012 under Sections 420/467/468/471/120B of the Indian Penal Code.

And

In Re : Rabish Kumar Upadhyay petitioner

Mr. Asraf Ali

... for the petitioner

Mr. Debojyoti Deb

... for the State

Having considered the materials on record prima facie disclosing involvement of the petitioner in the alleged crime of misappropriation of monies of the innocent depositors and the fact that the petitioner has absconded for a protracted period of time, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

(Rajarshi Bharadwaj, J.)

(Joymalya Bagchi, J.)

