

02.11.2021
Court No.8
Item No.19
AP/ss
(Rejected)

C.R.M. 6913 of 2021
(Through Video Conference)

In the matter of : An application for bail under section 439 of the Code of Criminal Procedure in connection with Daulatabad P.S. Case No.153 of 2018 dated 18.09.2018 under section 302 of the Indian Penal Code.

And

In the matter of : Nabisuddin Sk.

Mr. Jisan Iqubal Hossain

... ... for the petitioner

Mr. Madhusudan Sur, APP

Mr. Dipankar Paramanick

... ... for the State

The application for bail is argued on the ground that the victim was the petitioner's brother and the incident occurred as a consequence of a family dispute.

It appears from the record that the application for bail of the petitioner was rejected in two earlier occasions. The only ground canvassed before this Court today in course of trial is that from the evidence relied upon by the prosecution in the charge-sheet, the direct involvement of the petitioner is not evident.

This Court is of the view that it would be extremely inappropriate for this Court to pre-judge any of the evidence that has been relied upon by the prosecution.

It is, however, directed that the trial, inter alia, against the petitioner be completed within a period of eight months from date.

In the above circumstances, the application for bail being CRM 6913 of 2021 stands rejected.

Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(Kesang Doma Bhutia, J.)

(Rajasekhar Mantha, J.)