

07.12.2021.
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as
(Rejected)

C.R.M. 7966 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Beldanga P.S. Case No.96 of 2021 dated 05.03.2021 under Sections 302/34 of the Indian Penal Code.

In the matter of : Harun Rashid & Anr.

...Petitioners.

Mr. Ayan Bhattacharya,
Mr. Ali Ahsan Alamgir,
Ms. Rabia Khatoon.

...for the Petitioners.

Mr. Saibal Bapuli, Id. A.P.P.,
Mr. Bibaswan Bhattacharya.

...for the State.

Mr. Somopriya Chowdhury,
Mr. H. Singh,
Mr. S. Paul.

....for the de-facto complainant.

Heard the learned Advocates appearing for the parties.

Petitioners are in custody for about 275 days. It is submitted that the incident occurred in the course of a sudden fight.

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

Learned Advocate appearing for the de-facto complainant also opposes the prayer for bail.

We have considered the materials on record. Statements of eye witnesses recorded under Sections 161/164 of the Code of Criminal Procedure prima facie disclose involvement of the petitioners in the alleged crime, which is corroborated by medical evidence.

In view of the aforesaid facts and gravity of the offence, we are not inclined to grant bail to the petitioners.

Accordingly, the prayer for bail of the petitioners is rejected.

We request the trial court to expedite the trial and conclude the same at an early date without granting unnecessary adjournments to either of the parties.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)