

18.03.2021

CRM 11244 of 2020

Court No.28
Item No.48

akd

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed on 09.12.2020 in connection with Chapra Police Station Case No. 214 of 2020, dated 19.06.2020 under Sections 325/326/307/302 of the Indian Penal Code.

And

In the matter of : **Ajij Mahatpure @ Aziz Mahatpure**
...Petitioner

Mr. Prabir Majumder.

...For the Petitioner

Mr. Saibal Bapuli,
Mr. Arani Bhattacharyya.

...For the State.

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure after being arrested in connection with Chapra Police Station Case No. 214 of 2020 under Sections 325/326/307/302 of the Indian Penal Code.

Mr. Prabir Majumder, learned Advocate appearing for the petitioner, submits that the petitioner is in custody for about 271 days and the case arose from a dispute pertaining to demarcation of land between the brothers. It is further submitted that the case is fixed for commitment and the investigation being completed the petitioner may be released on bail on any conditions, which this Court thinks fit and proper.

Learned Advocate for the State opposes the prayer for bail and draws attention of this Court to the statements of witnesses.

We have perused the case diary as well as the statements of the witnesses. We find that this is a case where the son assaulted the parents; as a result of which both the parents died.

Having regard to the gravity and nature of the offence as also the conduct of the present petitioner, we are not inclined to release the petitioner on bail.

Accordingly, the application for bail being CRM 11244 of 2020 is dismissed.

(Harish Tandon, J)

(Tirthankar Ghosh,J.)

