

15.06.2022.
89.
Ct.No.28.
as
(Rejected)

C.R.M. (DB) 1744 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Thakurpukur P. S. Case No.20 of 2020 dated 23.01.2020 under Sections 302/307/326/34 of the Indian Penal Code.

In the matter of : Mahadeb Saha.

.... Petitioner.

Mr. Pritam Roy.

...for the Petitioner.

Mr. Sibal Bapuli, Id. A.P.P.,
Mr. Bibaswan Bhattacharyya.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about four months. It is submitted he has been falsely implicated in the instant case.

Learned Advocate for the petitioner opposes the prayer for bail and submits that petitioner and co-accused persons are not co-operating with the progress of the trial. Number of dates were fixed for consideration of charge but one or more of them absented themselves.

In reply it is submitted that petitioner has prayed for discharge from the case.

We have considered the materials on record. Statements of witnesses prima facie show the presence and participation of the petitioner as a member of unlawful assembly who assaulted victim resulting in his death.

In view of gravity of the offence and conduct of the accused persons in delaying and dilating the proceeding before

the trial court, we are not inclined to grant bail to the petitioner at this stage.

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

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)