

21.06.2022
tkm/ct 28
sl no. 45

C.R.M. (DB) 1927 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Bhunti PS case no. 14/2021 dated 6.2.2021 under sections 447/326/307/302/34 IPC

And

In Re : Nayan Mandal

..... petitioner

Mr. R Mukhopadhyay

..... for the petitioner

Ms. A Sinha

Mr. P K Mitra

..... for the State

Petitioner prays for bail. He submits he was earlier on bail in the present case. De facto complainant applied for cancellation of his bail before this court as his wife had initiated criminal case against them. Co-accuseds are on bail. He is in custody for 105 days.

Learned lawyer for the State opposes the prayer for bail and submits that the petitioner and co-accuseds had mercilessly assaulted the deceased and others who also suffered injuries. Bail of the petitioner as well as one Ghyanashyam Mandal and Rajen Mandal were cancelled by this court.

We have considered materials on record. Statement of witness recorded under section 164 Cr.P.C discloses role of the petitioner in the assault upon the deceased and other injured persons. Allegations are grave and there are strong incriminating materials against the petitioner. Bail of the petitioner along with one Ghyanashyam Mandal and Rajen Mandal was cancelled by this court. It cannot be said that the petitioner was singled out due to prior enmity between the parties.

In view of the aforesaid materials on record, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, the prayer for bail is rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)