

21.07.2022
cm/ct 28

C.R.M. (DB) 2409 of 2022

sl. no. 12

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Bhupatinagar P.S Case No. 142 of 2020** dated **21.09.2020** under Sections **448/325/307/302/34** of the Indian Penal Code, 1860.

Rejected

And

In Re : Rabi Arui @ Robi Arui @ Rabindranath Arui
..... petitioner

Mr. Shibaji Kumar Das
Ms. Rupsa Sreemani

..... for the petitioner

Mr. Neguive Ahmed, Ld. A.P.P.
Ms. Zareen N. Khan
Ms. Trina Mitra

..... for the State

Petitioner is in custody for over 600 days. He renews his prayer for bail. It is contended that dispute had broke up between the children in the family. Elders intervened and was a skirmish. Four days after the incident victim was admitted in hospital. No external injuries were found but she died due to respiratory distress.

Learned Additional Public Prosecutor opposes the prayer for bail. He refers to the post-mortem report and submits victim suffered external injuries and died. Cause of death has been stated as effect of injuries, ante mortem in nature.

We have considered the materials on record. Statements of witnesses show petitioner had participated in the assault of the victim who suffered internal injuries and died. Prayer for bail of the petitioner was rejected in April, 2022. There is no appreciable

change in circumstances since then. Hence, 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.)