

CRM No.8625 of 2021

Via video conference

03.02.22

(S.R.)

Sl.24

Ct.32

In re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Shyampur** Police Station Case No.187 of 2021 dated 08/05/2021 under Sections 341/326A/326B of the Indian Penal Code;

And

In re: Sk. Abdul Jabbar @ Sk. Abdul Jabbas ... petitioner.

Mrs. Juin Dutta Chakraborty ... for the petitioner.

Mr. Saibal Bapuli

Mr. Arani Bhattacharyya ...for the State.

Mrs. Chakraborty, learned advocate appearing for the petitioner submitted that there was a long pending dispute between the parties. But for such mutual hostilities the present petitioner is falsely implicated. She relied upon a copy of the injury report and stated that injury is simple in nature, as certified by the attending doctor of local government hospital at Jhumjhum. The petitioner is in custody for about 271 days. Therefore, Mrs. Chakraborty prays for bail for the petitioner.

Per contra, Mr. Bapuli, learned advocate appearing for the State submitted that the offence is very grave and serious. Injury report shows that the victim's vision is impaired because of acid attack on face. The nature of injury is very serious caused by acid attack. Statement of the victim recorded under Sections 161 and 164 also points to commission of offence by the present petitioner in the alleged offence. Charge sheet has been filed and 28th February, 2022 is fixed for consideration of charge. Accordingly, Mr. Bapuli strongly opposes the bail.

We have heard rival submissions and perused the case diary.

Medical treatment papers of the victim in Uluberia Sub-

divisional Hospital show that there was splash of acid over face causing blacking of skin and problem in the right eyesight. Statement of the victim girl clearly implicates the present petitioner in the alleged offence. Medical treatment papers and the injury reports as well as the statement of the victim are corroborative mutually. There is no assessment of the nature of injury done by Uluberia Sub-divisional Hospital. On perusal of the case diary and other materials, considering the seriousness of offence, its gravity, strong incriminating materials implicating the petitioner in the alleged offence and stage of proceeding, we are not inclined to exercise our discretion and the bail application stands rejected.

The application for bail being CRM No.8625 of 2021 is, accordingly, dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)