

15.11.2022
Sl. No.14
akd
[Rejected]

C. R. M. (DB) 3909 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 03.11.2022 in connection with Islampur Police Station Case No. 375 of 2021 dated 17.11.2021 under Sections 341/323/325/326/307/354/506/302/34 of the Indian Penal Code. (G.R. Case No.3387 of 2021)

And

In Re: ***Muktar Sk. & Anr.***

... .. Petitioners

Mr. Soumyajit Das Mahapatra
Mr. Ali Ahsan Alamgir
Mr. Rabia Khatoon
Ms. Soma Mal

... .. for the petitioners

Mr. Debapriya Samanta

... .. for the de-facto complainant

Mr. Binay Panda
Ms. Puspita Saha

... .. for the State

It is submitted on behalf of the petitioners that the incident occurred in course of a sudden quarrel.

Learned advocate appearing for the State opposes the prayer for bail and submits trial is in progress.

Learned advocate appearing for the de-facto complainant also opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses recorded under Section 164 of the Code of Criminal Procedure show petitioners and co-accuseds assaulted the victim. As a result, he died. Prayer for bail of co-accused viz. Selim Sk. has been rejected on merits.

In view of the aforesaid circumstances and as trial is in progress, we are not inclined to grant bail to the petitioners at this stage.

The application for bail is thus **rejected**.

Trial court is directed to expedite the trial and conclude the same at an early date.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)