

08.06.2023.
14
Ct. No.28
as

C.R.A. (DB) 159 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Debra P.S. Case No.156 of 2023 dated 14.03.2023 under Sections 447/323/325/354B/307/506/34 of the Indian Penal Code and adding Section 302 of the Indian Penal Code and Section 3(1)(r)(s)2(v) of SC/ST (PoA) Act.

In the matter of : Rabi Bhunia @ Rabindranath Bhunia
& Ors.

... Appellants.

Mr. Prasanta Kr. Pakrashi,
Mr. Arup Kr. Chatterjee.

.....for the Appellants.

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee.

...for the State.

Mr. Amit Ranjan Pati.

...for the de-facto complainant.

Appellants submit there was prior enmity between the parties. Hence, they have been falsely implicated in the instant case. They pray for bail.

Learned Advocate for the State opposes the bail prayer. He states that the statements of witnesses recorded under Section 164 of the Code of Criminal Procedure implicate the appellants.

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

We have considered the materials on record. Statements of witnesses recorded under Section 164 of the

Code of Criminal Procedure show that the petitioners came in a body and assaulted the victim. As a result, victim succumbed to his injuries.

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

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)