

16.08.2023

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rejected

C.R.M.(DB) No. 3205 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dholahat Police Station Case No. 106 of 2023 dated 09.03.2023 under Sections 341/447/325/326/307/302/506/34 of the Indian Penal Code.

And

In Re : Panchanan Mandal & Ors. petitioners

Mr. Nemai Chandra Belal

Mr. Suresh Kumar Sahoo

....for the petitioners

Mr. Madhusudan Sur, learned APP

Mr. Dipankar Paramanick

..... for the State

1.Learned Counsel for the petitioners submits that they are neighbours. They are not the principal assailants. They did not share common intention to murder. They pray for bail.

2. Learned Counsel for the State opposes the prayer for bail and submits that the petitioners and others have assaulted one Bimalendu Naskar and his family members. Bimalendu succumbed to his injuries.

3. We have considered the materials on record. Statements of witnesses show the presence of the petitioners at the place of occurrence. They participated in the assault. Keeping in mind the aforesaid circumstances and the fact that a large number of persons were injured one of whom succumbed to his injuries, we are not inclined to grant bail to the petitioners at this stage.

4. The application for bail is, thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)