

16.08.2023
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rejected

C.R.M.(DB) No. 3206 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 : Sannyashi Naskar petitioner

Mr. Nemai Chandra Belal

Mr. Suresh Kumar Sahoo

....for the petitioner

Mr. Neguive Ahamed, learned APP

Ms. Amita Gaur

..... for the State

1.Learned Counsel for the petitioner submits that he is a neighbour. He is not the principal assailant. He did not share common intention to murder. He prays for bail.

2. Learned Counsel for the State opposes the prayer for bail and submits that the petitioner 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 petitioner at the place of occurrence. He 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 petitioner at this stage.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)