

28.11.2023
Sl. No.36
akd
[Rejected]

C. R. M. (DB) 4234 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 17.10.2023 in connection with Chakdah Police Station Case No.133 of 2022 dated 09.03.2022 under Sections 302/34 of the Indian Penal Code.

And

In Re: ***Rupchand Barman @ Anil Barman***

... .. Petitioner

Mr. Shibaji Kumar Das

... .. for the petitioner

Mr. Madhusudan Sur .. Id. Addl. Public Prosecutor

Mr. Subrato Roy

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for over a year. It is further submitted one of the witnesses has turned hostile. Others are not appearing before the trial court. Accordingly, he prays for bail.
2. Learned Additional Public Prosecutor opposes the prayer for bail and submits a sixteen year old boy was brutally murdered by the petitioner.
3. We have considered the materials on record. Though one witness has turned hostile, statements of other witnesses disclose involvement of the petitioner in the alleged crime. Offence, if proved, would attract mandatory life imprisonment. Under such circumstances and in view of gravity of the offence, 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.)

