

21.12.2023

61
sdas
rejected

C.R.M.(DB) No. 4688 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Uluberia Police Station Case No. 357 of 2023 dated 29.08.2023 under Sections 341/326/354B/307/302/506/34 of the Indian Penal Code.

And

In Re : Radha Kanta Ghosh Petitioner

Mr. Phiroz Edulji
Ms. Juin Dutta Chakraborty
Mr. Bidan Modak
....for the petitioner

Mr. Madhusudan Sur, learned APP
Mr. Santanu Deb Roy
..... for the State

1. Learned Counsel for the petitioner submits there was a long standing dispute between the parties. A number of civil and criminal cases were registered earlier. Accordingly, he has been falsely implicated. He prays for bail.

2. Learned Counsel for the State opposes the prayer for bail.

3. We have considered the materials on record. Statement of injured witness i.e. wife of the deceased discloses the role of the petitioner in the crime. Petitioner had exhorted to murder the victim. Thereafter he and others assaulted the victim as well as his wife i.e. the witness. In the light of the aforesaid 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.)