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rejected

C.R.M.(DB) No. 4731 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Patashpur Police Station Case No. 375 of 2023 dated 07.08.2023 under Sections 447/448/323/302/325/307/379/506/34 of the Indian Penal Code.

In Re : Sukamal Bhunia And
..... Petitioner

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmick
....for the petitioner

Mr. Antarikhya Basu
..... for the State

Ms. M. Das
..... for the de facto complainant

1. Learned Counsel for the petitioner submits he has been falsely implicated in the instant case. He prays for bail.

2. Learned Counsel for the State opposes the prayer for bail and submits petitioner was the accused in an earlier case. After being released on bail he assaulted the complainant and murdered him.

3. We have considered the materials on record. Statements of the witnesses show petitioner had murdered the complainant who had lodged a case against him. He had been arrested in the said case earlier. Keeping in mind the daring role of the petitioner murdering a witness we are of the opinion this is not a fit case to grant bail to the petitioner at this stage.

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.)