

22.12.2023

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rejected

C.R.M.(DB) No. 4748 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bhimpur Police Station Case No. 398 of 2022 dated 05.01.2022 under Sections 452/302/120B/323/325/354/354B/506/34 of the Indian Penal Code.

And

In Re : Subhajit Ghosh @ Bhola Ghosh Petitioner

Mr. Satadru Lahiri
Mr. Safdar Azam
Mr. Jyotirmoy Talukder
....for the petitioner

Mr. Nguive Ahmed, learned APP
Mr. Shiladitya Banerjee
..... for the State

1. Learned Counsel for the petitioner submits there was a free fight and the incident occurred in the course of a sudden quarrel. He prays for bail.

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

3. We have considered the materials on record. Statements of the witnesses show petitioner and others had come into the house and assaulted victim. As a result she died. 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.

5. We direct the trial court to consider framing of charge at the earliest and in the event charge is framed to take the proceeding to its logical conclusion without granting unnecessary adjournment to either of the parties.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)