

03.07.2023
Item no.81.
Court No.01.
S. De
(Rejected)

Circuit Bench of Calcutta High Court
at Jalpaiguri

CRM (DB) No. 342 of 2023

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 23.06.2023 in connection with Dhupguri Police station Case No. 668 of 2022 dated 27.11.2022 under Sections 341/324/326/453/302 of the Indian Penal Code.

And

In the matter of : Tahidul Rahaman @ Taijul Haque

.....Petitioner.

Mr. Joydeep Kanta Bhowmik,
Mr. Sayantan Bhowmik,
Ms. Rikta Sarkar,
.....for the Petitioner.

Mr. Aditi Shankar Chakraborty, Ld. APP,
Mr. Arjun Chowdhury,for the State.

The allegation is under Section 302 of the Indian Penal Code.

The petitioner says that he is in custody since November 30, 2022. Charge has not been framed as yet. He prays for bail.

Learned advocate for the State says that charge-sheet has been submitted in February 20, 2023. He produces the case diary which we have gone through. There are more than one eye witnesses to the incident who have recorded their statements

under Section 164 of the code of Criminal Procedure. We have also seen the injury report.

On an overall consideration of the facts and circumstances of the case and the material on record, in our view, this is not a fit case to enlarge the petitioner on bail.

However, we request the learned Trial Judge to expedite the proceedings to the extent possible.

The application for bail is, accordingly, rejected.

CRM (DB) 342 of 2023 is dismissed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Partha Sarathi Sen, J.)

(Arijit Banerjee, J.)