

08.04.2024
Sl. No.28
akd
[Rejected]

C. R. M. (DB) 940 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 11.03.2024 in connection with Habra Police Station Case No.301 of 2020 dated 02.07.2020 under Sections 341/354/326/307 of the Indian Penal Code and subsequently charge sheet submitted under Sections 341/354/326/307/302 of the Indian Penal Code.

And

In Re: ***Biswajit Mali @ Biswas @ Bisso @ Biso @ Biswa***
... .. Petitioner

Mr. Angshuman Chakraborty
... .. for the petitioner

Ms. Sompurna Chatterjee
... .. for the de-facto complainant

Mr. Rudradipta Nandy .. Id. Addl. Public Prosecutor
Mr. Joydeep Roy .. Jr. Govt. Advocate
Mr. Arif Ekbal Mollah
... .. for the State

1. Heard the learned Advocates appearing for the respective parties.
2. We have considered the materials on record. Dying declaration of the victim implicates the petitioner in the murder. Vital witness i.e. the medical officer is proposed to be examined in course of trial to prove the dying declaration. In view of the aforesaid incriminating material and the delicate stage in which the prosecution is poised, we are not inclined to grant bail to the petitioner at this stage.
3. The application for bail is thus rejected.

(Prasenjit Biswas, J.)

(Joymalya Bagchi, J.)