

C. R. M. (DB) 3575 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 01.10.2024 in connection with Itahar Police Station Case No.188 of 2024 dated 10.04.2024 under Sections 341/448/324/326/307/354/327/506/34/302 of the Indian Penal Code. (G.R. Case No.767 of 2024)

And

In Re: **Batasu Seikh & Anr.**

... .. Petitioners

Mr. Jisan Iqubal Hossain

... .. for the petitioners

Mr. Arkaprabho Roy

... .. for the de-facto complainant

Mr. Rana Mukherjee .. Id. Addl. Public Prosecutor

Ms. Baisakhi Chatterjee

... .. for the State

1. This is an application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in respect of Itahar Police Station Case No.188 of 2024 dated 10.04.2024 under Sections 341/448/324/326/307/354/327/506/34/302 of the Indian Penal Code.
2. Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the accused in this case. The petitioners are in custody for about six months. Charge sheet has already been submitted under different provisions including under Section 302 IPC.
3. Learned counsel appearing for the State relies on the case diary and opposes the prayer for bail. He submits that there are several eyewitnesses to the occurrence.

4. Considering the gravity of the allegations and the materials available in the case diary, we are not inclined to allow the application for bail of the petitioners at this stage.
5. The application for bail is thus rejected
6. Trial, if ensues, shall be expedited.
7. Criminal Section is directed to provide certified copy of this order, if applied for, to the parties upon completion of requisite formalities.

(Biswaroop Chowdhury, J.)

(Jay Sengupta, J.)