

AD-6
Ct No.01
Jalpaiguri
21.08.2024
sp

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side**

CRM (DB) 383 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Dhupguri Police Station Case No. 562/2023 dated 17.11.2023 under Section 341/325/307 adding Section 302 of the Indian Penal Code.

And

In the matter of: Soumik Roy & Anr.

.. petitioners (in Jail)

Mr. Jaydeep Kanta Bhowmik,
Mr. Sayantan Bhowmik,
Mr. Shubham Kumar,
Ms. Sayantani Das

..for the petitioners

Mr. Aditi Shankar Chakraborty,
Mr. Kallol Nag

..for the State

1. This is the third application for bail of the petitioner on the ground that they are in custody for more than 7 months 12 days. The detail of the incident and as to why the prayer of the petitioners for bail was rejected are indicated in the order dated 30th January, 2024 in CRM (DB) 81 of 2024 and 3rd April, 2024 in CRM (DB) 136 of 2024 passed by two Co-ordinate benches of this Court.
2. This Court finds that the petitioners are the uncle and the father of a 7 years old child who was knocked down by the victim and the pillion driver riding on a motor cycle. The said

victims were brutally assaulted on the spot and one of them died after 21 days in a hospital.

3. There are sufficient numbers of eye-witnesses as regards the incident. While the injury to the child is unfortunate, this Court is of the view that the petitioners have not made out any case for bail. There are no changed circumstances indicated to this Court.
4. In such circumstances, the present 3rd application for bail of the petitioners shall stand dismissed.
5. It is expected that the charges be framed as expeditiously as possible and the trial is commenced and completed expeditiously.
6. All the parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Ajay Kumar Gupta, J.)

(Rajasekhar Mantha, J.)