

AD-4
Ct No.01
Jalpaiguri
21.08.2024
sp

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

CRM (DB) 449 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973/Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Maynaguri Police Station Case No. 237/2023 dated 20.06.2023 under Section 498A/307/326/302 of the Indian Penal Code.

And

In the matter of: Sujit Dey Bhowmik

.. petitioner (in Jail)

Mr. Prabir Kr. Mitra

..for the petitioner

Mr. Aditi Shankar Chakraborty,
Mr. Ujjwal Luksom,
Ms. Namrata Das

..for the State

1. The petitioner seeks bail on the ground that he is in custody for 15 months.
2. This Court has carefully considered the injury report and the charge sheet. Although the FIR did not contain Section 302 of the IPC, the same has been added with the charge sheet finding sufficient materials.
3. The injury report indicates that the petitioner has initially assaulted his wife with an axe on the head which has broken the scalp and exposed the brain.

4. The learned Public Prosecutor opposes the prayer for bail and submits that the petitioner is a dangerous person and this is a fit case for custodial interrogation.
5. Having regard to the fact of the case, the evidence on record and the statements of the witnesses, this Court is of the view that the application for bail of the petitioner cannot be entertained at this stage.
6. Hence, CRM (DB) 449 of 2024 shall stand rejected.
7. It is expected that the committal took place and the trial is initiated by framing of charges forthwith. The trial shall be expedited by the Sessions Court.
8. 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.)