

I have considered the material on record. There appears to be a property dispute between the families of the defacto complainant and the petitioners. Petitioner nos. 1, 2 and 3 being the female folk of the house handed over the offending weapons to the petitioner no. 4 and two others –

Iftikar Ahmed and Muntan Sk. Iftikar Ahmed, Muntan Sk and the 4th petitioner Najir Hossain assaulted the victim who succumbed to his injuries.

In view of the active role of the petitioners in the alleged offence, their prayer for bail is rejected at this stage.

It is surprising to note that though there are serious implications against co-accused Iftikar Ahmed and Muntan Sk. who also assaulted the victim along with the 4th petitioner and appear to be equally involved in the alleged crime, they have been released on bail by the learned Sessions Judge, Malda on October 04, 2024. The order granting bail does not disclose any reason therefor save and except the fact that the accused were languishing in custody since July 13, 2024 and charge sheet was submitted. Such grounds, can under no circumstances, be considered in connection with an incident involving gruesome murder of a person without dealing in the merits of the case, moreso, since the accused were in custody for less than three months. The court ought not to have lost sight of the fact that offence, if proved, would attract mandatory life imprisonment.

Learned counsel for the State is requested to take necessary steps for cancellation of the bail granted to the said accused persons.

The bail application is disposed of.

Case Diary is returned.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)