

25.02.2025

DL-69

Court No.26

CRM (DB) 1543 of 2024

*(Bail **Rejected**)*

(AD)

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Sessions Case No.29 of 2020 arising out of **Burrabazar** Police Station Case No.**135** of **2020** dated **14.06.2020** under Sections **302/307** of the Indian Penal Code.

-And-

In the matter of : Shiv Kumar Gupta

... ...Petitioner

Mr. Biswajit Manna, Advocate

Mr. S. Sarkar, Advocate

... ... For the Petitioner

Mr. Soumik Ganguly, Advocate

Ms. Payel Ghosh, Advocate

... ...For the State

1. Coordinate Bench enlarged the petitioner on interim bail in order to allow the petitioner to undergo surgery.
2. Petitioner refused to medical attention at the Tata Memorial Hospital at Kolkata and went to Uttar Pradesh to consult doctors.
3. No medical documents are produced. Medical conditions of the petitioner is not established to be such which cannot be treated in custody.
4. Materials on record implicate the petitioner in murder of one minor with another minor suffering grievous hurt at his behest.

5. Trial is in progress.
6. Continuing with the interim bail of the petitioner will be inimical to the trial.
7. Interim bail granted stands cancelled.
8. Petitioner will surrender forthwith. In default, appropriate steps be taken.
9. We are not inclined to grant bail to the petitioner considering the materials on record, his conduct on interim bail and in the interest of speedy disposal of the trial.
10. Accordingly, the prayer for bail of the petitioner is **rejected**.
11. **CRM (DB) 1543 of 2024** is **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)