

23.06.2025

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jb.
jdt.

C.R.M. (M) 527 of 2025

In Re : An Application under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Rajapur Police Station Case No. 05 of 2025 dated 05.01.2025 under Sections 118(1)/118(2)/109 of the Bharatiya Nyaya Sanhita, 2023.

And

In Re : Shyamapada Routh @ Shyam

Mr. Kunal Ganguly

... For the Petitioner.

Mr. Prasun Kr. Dutta

Mr. Tirthankar Dhali

... For the State.

The petitioner is the father of the victim/injured and is in custody for more than 100 days. Learned counsel for the petitioner submits that charge-sheet has been submitted. The incident arose out of a family dispute with regard to property. Further detention of the petitioner is not required. He prays for bail.

Learned counsel for the State opposes the prayer.

I have considered the material on record. Witnesses have stated that there was a dispute between the petitioner and his son with regard to property. The petitioner appears to have assaulted his son/victim with an axe. The offending weapon has been recovered at the instance of the petitioner. Charges are yet to be framed. Vulnerable witnesses are yet to be examined. If the petitioner is released on bail at this stage, possibility of his influencing witnesses and tampering with evidence cannot be ruled out.

Considering the nature and gravity of the offence and prima facie involvement of the petitioner therein, his prayer for bail is rejected at this stage.

The application for bail is disposed of.

Case diary be 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.)