

D/L26

27.02.2025

Rohit

ct.no.26

C.R.M. (DB) 3379 of 2024

In Re: An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Ratua Police Station Case No. 0181 of 2024 dated 07.04.2024 under Sections 302/307/325/447/34 of the Indian Penal Code.

And

In Re: **1. Kabatulla @ MD Kabatula**
2. Abdul Mohaimin @ Mahasen

...Petitioners

Mr. Sekhar Kumar Basu, Sr.Adv
Ms. Triparna Roy

...for the petitioner

Ms. Sayanti Santra
Ms. Ayama De

...for the State

1. Petitioners pray for bail.
2. Status report filed in Court be kept with the record.
3. Learned Senior Advocate appearing for the petitioner submits that the custody of the petitioner is in excess of three days. There are twenty eight prosecution witnesses. Only one was examined. He submits that, there was a free fight where the incident of death occurred.
4. State and the de-facto complainant are represented.
5. Materials in the case diary implicate the petitioners in murder.

6. Trial is in progress.
7. One prosecution witness was partly examined out of twenty eight.
8. Enlarging the petitioners on bail at this stage may be inimical to the trial. Period of custody of the petitioners and the materials on record do not suggests requirement of enlarging the petitioners on bail at this stage.
9. In such circumstances, we are not inclined to grant bail to the petitioners.
10. Prayer for bail of the petitioners is **rejected**.
11. **C.R.M.(DB) No. 3379** of **2024** is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)