

26.02.2025

DL-34

Court No.26

CRM (DB) 3537 of 2024

*(Bail **Rejected**)*

(AD)

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973 read with Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 in connection with Sessions Trial No.127 of 2023, which is corresponding to Sessions Case No.211 of 2023, G.R. Case No.531 of 2023 arising out of **Joypur** Police Station Case No.**44** of **2023** dated **25.03.2023** under Sections **302/201/120B** of the Indian Penal Code, 1860.

-And-

In the matter of : Kshetrapal Mahato

... ...Petitioner

Mr. Pawan Gupta, Advocate

Mr. Sougata Mitra, Advocate

... ... For the Petitioner

Ms. Faria Hossain, Ld. APP

Mr. Raju Mondal, Advocate

... ...For the State

1. Petitioner prays for bail on the ground of delay of trial.
2. Court is informed that prosecution is likely to examine 20 witnesses in aggregate out of which 9 stands examined. The trial is in progress.
3. Materials on record implicate the petitioner in murder.
4. Child of the victim amongst others record statement under Section 164 of the Code of Criminal Procedure implicating the petitioner in the incident of murder.
5. Dead body of the victim was found from the septic tank with his private parts being mutilated.
6. Considering the gravity of the offence, the involvement of the petitioner as transpiring from the materials on record and the fact that only 11 prosecution witnesses remain to be

examined at the trial, we are not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner is **rejected**.
8. **CRM (DB) 3537 of 2024** is **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)