

D/L62-63
18.03.2025
Rohit
ct.no.26

C.R.M. (DB) 3818 of 2024
With
C.R.M. (DB) 4240 of 2024

In Re: An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Labpur Police Station Case No. 144 of 2024 dated 22.08.2024 under Sections 126(2)/118(2)/109(1)/61(2)(a) of the Bharatiya Nyaya Sanhita, 2023.

And
In Re: **1. Md. Lothibuddin @ Bulon Mia**
2. Jadab Sk @ Yadav Sk

...Petitioner

Mr. Souvik Mitter
Mr. Sandip Dinda

...for the petitioner
in CRM (DB) 3818 of 2024

Mr. Rajdeep Mazumder, Sr. Adv
Ms. Arushi Rathore
Mr. Soumya Raha

...for the
petitioner in CRM
(DB) 4240 of 2024

Mr. Debasish Roy, Ld. P.P
Ms. Sayanti Santra
Ms. Chandrayi Dutta

...for the State in
CRM (DB) 3818 of
2024

Mr. Debasish Roy, Ld. P.P
Mr. Avishek Sinha
Ms. Eshita Dutta

...for the State in
CRM (DB) 4240 of
2024

Mr. Joy Chakraborty
Ms. Ipsita Ghosh

...for the defacto
complainant in
CRM (DB) 3818 of
2024 and CRM (DB)
4240 of 2024

1. Two petitions for bail are taken up for analogous hearing as they emanate out of the same police case.
2. Learned Advocate appearing for the petitioner in CRM (DB) 3818 of 2024 submits that, the name of the petitioner transpired much later. He points out the period of detention. He submits that the investigations are, inter alia, under Section 307 of the Indian Penal Code, 1908.
3. Learned Senior Advocate appearing for the petitioner in CRM (DB) 4240 of 2024 submits that his client was falsely implicated. He was not named as a person who perpetrated the crime.
4. Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary. He submits that the injured suffered multiple fractures and is still in hospital. He draws the attention of the Court to the photograph of the injury suffered by the victim.
5. Learned Advocate appearing for the State submits that both the petitioners are named by eye-witnesses as persons who were not only present at the place of occurrence but also playing an active role in the assault.
6. Victim suffered multiple fracture injuries. Victim is still in hospital. Nature of injury suffered by the victim are such that they are life threatening.

7. Role of both the petitioners appear from the materials in the case diary through the versions of the eye-witnesses.
8. Court is informed that the victim was not in a position to speak coherently for a period of about three months from the date of the incident.
9. Considering the gravity of the offence and the involvement of the petitioners as transpiring from the materials in the case diary, 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. 3818 of 2024** with **C.R.M.(DB) 4240 of 2024** is dismissed.

(Debangsu Basak, J.)

(Smita Das De, J.)