

S.T. NO.01 (12) OF 2024  
SESSIONS CASE NO.56 OF 2024  
CNR NO.WBCS01-000736-202  
Present: Sri Sukumar Ray  
Chief Judge, City Sessions Court, Calcutta  
J.O. CODE NO.WB00590.

Order no. 08 dated 17.05.2025

Today is fixed for hearing of the bail application dated 13.05.2025 filed by the accused person no. 2 Pabitra Murmu.

Ld. Advocate for the accused person as well as Ld. Public Prosecutor are present.

The bail petition is taken up for hearing.

The bail application is moved.

Ld. Advocate for the accused person has prayed for interim bail of the accused/petitioner on the ground that the father of the petitioner/accused is suffering from Ischemic stroke in the year 2024 and since then he is suffering from left hemiplegia. He further submits that his mother is suffering from health related issues and has been accordingly advised by local doctors to visit hospitals with proper medical facilities for proper diagnosis and treatment. He further submits that without help of the petitioner/accused it is not possible for the parents of the petitioner/accused to get medical facilities. He further submits that charge sheet has already been submitted and there is no likelihood of completion of trial in near future.

Ld. Public Prosecutor opposes the bail prayer on the ground that the accused/petitioner is directly involved in the alleged offence in question.

In support of his contention, Ld. Public Prosecutor has placed his reliance upon the Judgement in the case of **Bhoopendra Singh Vs State of Rajasthan and Another** reported in **(2021) 17 Supreme Court Cases 220**.

Ld. Advocate representing the accused/petitioner has also placed his reliance upon the Judgement in **Shabbir @ Shoyeb Jummanbhai Rangrej vs State of Gujarat** in **Criminal Misc. Application No 1148 of 2021** and another in **Gagandeep @ Goldy vs State of Rajasthan** in **Criminal Misc. Interim Bil Application No. 6821 of 2021**.

Heard both sides.

Considered.

Perused the Judgements cited above.

On careful perusal of the Judgements referred above, it appears to me that it is well settled that, among other circumstances, the factors to be borne in mind while considering an application for bail are:

(i) whether there is any prima facie or reasonable ground to believe that the accused had committed the offence;

(ii) nature and gravity of the accusation;

(iii) severity of the punishment in the event of conviction;

(iv) danger of the accused absconding or fleeing, if released on bail;

- (v) character, behaviour, means, position and standing of the accused;
- (vi) likelihood of the offence being repeated;
- (vii) reasonable apprehension of the witnesses being influenced; and
- (viii) danger, of course, of justice being thwarted by grant of bail.

I have carefully perused the case diary and also perused the statements of the witnesses recorded under section 161 of the Criminal Procedure Code. The manner in which crime was committed was indeed gruesome. The alleged offence is not only detestable but also horrible, horrific and odious in nature.

Considering the gravity of the offence, I am not inclined to allow the prayer for bail of this accused/petitioner.

Accordingly, the prayer for bail of the accused/petitioner no. 2 namely Pabitra Murmu stands **rejected**.

One petition is filed on behalf of the accused/petitioner no. 2 namely Pabitra Murmu for issuance of direction upon the Superintendent of Presidency Correctional Home so that the accused Pabitra Murmu can appear and participate in the Civil Service (Preliminary) Examination, 2025.

I have carefully perused the petition and the Admit Card (Union Public Service Commission) issued in the name of this accused.

Considering the facts and circumstances, I am inclined to allow the prayer of the accused person.

Accordingly, he is permitted to appear in the Civil Service (Preliminary) Examination, 2025 to be held on 25.05.2025.

The Superintendent of Presidency Correctional Home is directed to make necessary arrangement so that the accused Pabitra Murmu may appear in the said examination on the schedule Venue, Date at proper time and for this purpose the Superintendent of Presidency Correctional Home is further directed to provide the accused no. 2 namely Pabitra Murmu with black ball point pen for the purpose of examination only.

Case diary be returned.

To date i.e. on 10.06.2025 for production of the accused persons and evidence.

Let a copy of this order be sent to the Superintendent of Presidency Correctional Home for information and necessary compliance.

Dictated & corrected by me

Sd/-

Chief Judge  
City Sessions Court, Calcutta.

Sd/-

Chief Judge  
City Sessions Court, Calcutta.