

S.T 30(05) 2023

S.C 207/2022

CNR no.WBHG-01- 004745-2022

Order no. 33 dt. 27.09.2024

Today is fixed for hearing of the bail petition of the accused Babu Pal and Mantu Chowdhury.

Learned Advocate appearing for the accused Babu Pal submitted in common that today they are not moving the bail application in respect of the accused Babu Pal. Now bail in respect of the accused Mantu Chowdhury is taken up for consideration.

Heard both sides present. Considered.

Learned Advocate for the accused Mantu Chowdhury prays for bail on the ground of his long detention in custody since after his arrest. He is not FIR named person. His name only came in light during investigation of this case. There is no scope to influence the remaining charge sheet witnesses as he is a man of another district. He will not hamper or tamper the evidence, if released on bail on any suitable condition.

Learned Special P.P submits that previously bail petition of the accused Babu Pal was rejected by the Hon'ble High Court on 02.05.2023 after considering the materials lying in the CD as against him. This accused stands in the same footing. He placed the CD before me and drew my attention to the materials lying therein. He seriously opposed his bail prayer. Till date the trial of the case has satisfactorily progressed. Trial will conclude within the next few schedules. Grant of bail at this very stage will not be appropriate hence.

FIR on hand is the result of gang war between two rival groups. Till date prosecution has examined 08 witnesses in this case. Other witnesses are yet to be examined. There is no scope to argue that prosecution has been delaying trial in any way. I have considered the nature of the offence which happened on the broad daylight in the hospital premises. I have also considered the nature and seriousness of the offence in which it is committed. I am not inclined to release this accused at this stage. Considering all aspects, bail petition of the accused stands **rejected**.

Dictated & corrected by me

Sd/-

Additional Sessions Judge,
1st Court. Chinsurah
J.O Code no.WB00753

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