

17.11.2020
SL No.30
Court No.12
(jks & SB)

CRM 7757 of 2020

(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Muchipara Police Station Case No.**126 of 2019** dated **04/07/2019** under Sections 120 B/**170/365/392** of the Indian Penal Code.

And

In the matter of: **Balai Sarkar @ Dilip.**

....Petitioner.

Ms. Sonali Das

...for the Petitioner.

Mr. Saibal Bapuli,
Ms. Sayanti Santra,

...for the State.

The petitioner undertakes to affirm and stamp the petition/application as per Rules within 48 hours of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

The learned Counsel for the petitioner submits that he has been falsely implicated and he is in custody for more than 260 days.

The learned Counsel appearing for the State opposes the prayer for bail and submits that the petitioner is a part of a gang robbery and he has been duly identify in the test identification parade. It is further submitted that Rs.30,000/- and one gold chain were recovered from the custody of the petitioner.

Having considered the materials on record disclosing the prima facie involvement of the petitioner in undertaking a daring dacoity and the petitioner having been identified in the test identification parade, we are of the opinion that in view of the gravity of the offence this is not a fit case to grant bail to the

petitioner in this case. Moreover, we find that other co-accused persons who approached this Court with similar prayer have also denied bail by co-ordinate Benches.

Since the trial court has fixed 2nd December for framing of charges we request the trial court to expedite the process and conclude the trial as expeditiously as possible. It is made clear that the parties shall not pray for any adjournment on 2nd December, 2020.

With the aforesaid observation, the application for bail being CRM 7757 of 2020 is disposed of.

All parties are to act on a website copy of this order on the usual undertaking.

(Saugata Bhattacharyya, J.)

(Soumen Sen, J.)