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CRM 8719 of 2020

(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with English Bazar P.S. Case No.119 of 2020 dated 04.02.2020 under Sections 457/379 of the Indian Penal Code adding section 395/412 of the Indian Penal Code read with Section 25/27/35 of the Arms Act.

And

In the matter of: Ranjit Kumar Yadav @ Ranjit Yadav & Ors.
....Petitioners

Mr. Kallol Mondal
...for the Petitioner.

Mr. Bidyut Kr. Roy
Ms. Rita Dutta
...for the State.

It is contended on behalf of the petitioner that his complicity has transpired from the statement of Abhijit Kundu, an employee of the bank had not been sent up for trial. Petitioner is in custody for 283 days.

Learned lawyer for the State submits that Abhijit Kundu was initially suspected as a conspirator but subsequently he was cited as a witness. He was present at the time of dacoity. Petitioner has been identified in the course of T.I. parade.

We have considered the materials on record. Transposition of Abhijit Kundu, an employee of the bank and was present at the place of crime from a suspect to a witness cannot be said to be unnatural in the facts and circumstances of the case. There are prima facie materials

indicating involvement of the petitioner in the alleged crime and in view of the gravity of the offence, we are not inclined to grant bail to the petitioner.

Trial court is directed to expedite the trial and conclude the same without granting unnecessary adjournments.

The parties shall act in terms of the copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)