

05.11.2020

Item no. 21

Ct.8

SSI/CHC

Rejected

C.R.M. No.8855 of 2020

(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Raipur Police Station Case No.69 of 2015 dated 24.09.2015 under Sections 302/201/34 of the Indian Penal Code, 1860.

And

In the matter of:-

Sk. Mantaj Ali & ors.

... Petitioners

Mr. Dipankar Pal,
Mr. Barnamoy Basak

.. for the petitioners

Mr. Rana Mukherjee, Ld. A.P.P.
Ms. Sujata Das

..for the State

Petitioners are in custody for more than 5 years. By an order dated September 9, 2019, the petitioners' prayer for bail was rejected by a coordinate Bench of this Court with an observation that in view of the *prima facie* involvement of the petitioners in the alleged crime, they are not entitled to obtain bail. By the said order, learned trial Court was directed to conclude the trial at an early date preferably within one year from the next date fixed

before the said Court for recording evidence, without granting any unnecessary adjournment to either of the parties.

It is to be noted that the learned counsel appearing for the State drew the attention of the Court while passing the said order dated September 9, 2019, the coordinate Bench of this Court considered the evidence of nine prosecution witnesses including the statement made by one of the eye witnesses under Section 164 of the Cr.P.C.

Having considered the materials on record, we do not find that the petitioners have made out any new case for obtaining bail.

Accordingly, the prayer for bail is rejected.

However, CRM 8855 of 2020 is disposed of by directing the learned trial Court to comply with the earlier order dated September 9, 2020 passed in CRM 8122 of 2019.

(Ashis Kumar Chakraborty, J.)

(Tirthankar Ghosh, J.)

